Koviloor Acadamy

Issued 28-2-33.

VOL. LXIV. No. 1

PROCEEDINGS

OF THE

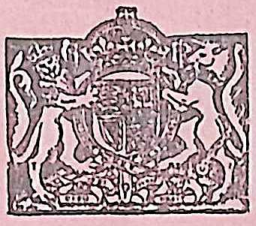
LEGISLATIVE COUNCIL

OF THE GOVERNOR OF MADRAS

OFFICIAL REPORT

THIRD SESSION OF THE FOURTH LEGISLATIVE COUNCIL UNDER THE GOVERNMENT OF INDIA ACT, 1919

Monday, the 23rd January 1933



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MADRAS
...D BY THE SUPERINTENDENT, GOVERNMENT PRESS

1933

Price, 8 annas.

Koviloor Academy
விவேகானந்த புத்தகசாலை
ஹிந்து மதாபிமான சங்கம்
காரைக்குடி.

Presented by
S. Murugappa
23-10-52.

PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency Lieut.-Col. the Right Hon. Sir GEORGE FREDERICK STANLEY, P.C., G.C.I.E., C.M.G. Took his seat on the 12th November 1929.

Members of the Executive Council.

1. The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur, K.C.I.E., Home Member. Took his seat on the 30th March 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Police, including Railway Police and C.I.D.
2. Regulation of betting and gambling.
3. Prevention of cruelty to animals.
4. Control of poisons.
5. Control of vehicles.
6. Control of dramatic performances and cinematographs.
7. Control of newspapers, books and printing presses.
8. Laccadives.
9. European vagrancy.
10. European and Anglo-Indian education.
11. Regulation of medical and other professional qualifications and standards.
12. Government Houses, Staff and equipment of His Excellency the Governor.
13. Government Presses.
14. Elections for Indian and Provincial Legislatures.
15. Industrial matters included under the following heads :—
    - (*a*) Factories.
    - (*b*) Settlement of labour disputes.
    - (*c*) Boilers.
    - (*d*) Gas.
    - (*e*) Smoke nuisances.
    - (*f*) Welfare of labour including depressed classes.
16. Criminal tribes.
17. Stores and Stationery (required for Reserved Departments).

II.—Central Subjects.

1. Control of petroleum and explosives.
2. Central police organization.
3. Arms and ammunition.
4. Emigration and immigration.
5. Pilgrimage to the Hedjaz.

2. The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR, *Kt.*, Law Member. Took his seat on the 25th April 1928 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the province.
2. Provincial law reports.
3. Administrator-General and Official Trustees.
4. Escheats.
5. Coroners.
6. Treasure-trove.
7. Non-judicial and judicial stamps.
8. Prisons and prisoners.

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I.—Provincial Subjects—cont.

9. Industrial matters included under the following head : Electricity, including hydro-electric scheme.
10. Forests (including Cinchona) except panchayat forests.
11. Minor Ports.

II.—Central Subjects.

1. Civil law.
2. Inventions and designs.
3. Copyright.
4. Criminal law.
5. Major Ports.
6. Shipping and navigation.
7. Lighthouses.
8. Port quarantine and marine hospitals.

3. The hon. Sir ARCHIBALD CAMPBELL, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., Member in charge of Revenue. Took his seat on the 29th June 1929 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Land Revenue administration as described under the following heads, namely :—
   (*a*) Assessment and collection of land revenue.
   (*b*) Maintenance of land records ; survey for revenue purposes ; records of rights.
   (*c*) Laws regarding land tenures ; relations of landlords and tenants ; collection of rents.
   (*d*) Court of Wards, encumbered and attached estates.
   (*e*) Land improvement and agricultural loans.
   (*f*) Colonization and disposal of Crown lands.
   (*g*) Management of Government estates.
   (*h*) Panchayat forests.
2. Yeomiahs, inams and hereditary pensions.
3. Water-supplies, irrigation and canals, drainage and embankments ; water storage and water power.
4. Inland waterways including shipping and navigation thereon.
5. Economic condition including wages and prices and famine-relief.
6. Land acquisition, excepting notifications under sub-section (1) of section 4 and declarations under sub-section (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said sub-sections appertains to a transferred subject.
7. Development of mineral resources.
8. Protection of wild birds and animals.
9. Pounds and prevention of cattle trespass.
10. Provincial gazetteers.
11. Agency tracts.
12. Fortnightly reports and preliminary special reports to the Government of India.
13. General service questions.
14. Office procedure.
15. Secretariat.
16. Matters of a general nature not allocated elsewhere.

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II.—Central Subjects.

1. Geological survey.
2. Mineral development.
3. Botanical survey.
4. Survey of India.
5. Zoological survey.
6. Meteorology.
7. Census and Statistics.
8. Territorial changes.
9. Immovable property in possession of the Governor-General in Council.
10. All-India services.
11. Public Services Commission.
12. Reforms.

4. The hon. Mr. H. G. STOKES, C.S.I., C.I.E., I.C.S., Finance Member. Took his seat on the 19th March 1930 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Provincial finance.
2. Pensions.
3. Local Fund audit.
4. Preservation and translation of ancient manuscripts.
5. Central Record office.

II.—Central Subjects.

1. (*a*) Defence of India.
   (*b*) Naval and Military works and cantonments.
2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz.
3. Relations with States in India.
4. Political charges.
5. Communications.
6. Posts and telegraphs and telephones, including wireless installations.
7. Sources of all-India revenues.
8. Currency and coinage.
9. Public debt of India.
10. Savings banks.
11. Indian Audit Department.
12. Commerce, including Banks and Insurance.
13. Trading Companies and other Associations.
14. Opium (Central questions regarding —).
15. Central Research.
16. Ecclesiastical.
17. Archæology.
18. Regulation of ceremonial titles, orders, precedence and civil uniform.
19. Subjects not allocated elsewhere.

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Ministers.

The hon. the RAJA OF BOBBILI, Minister for Local Self-Government. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

1. Local Self-Government including village panchayats.
2. Medical administration.
3. Public Health and Sanitation and Vital Statistics.
4. Religious and Charitable Endowments.
5. Adulteration of food-stuffs and other articles.
6. Light and Feeder Railways and Tramways within municipal areas.
7. Stores and Stationery (required for Transferred Departments).

2. The hon. Mr. P. T. RAJAN, Minister for Public Works. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

1. Agriculture.
2. Civil Veterinary Department.
3. Public Works (Buildings, Roads, Ferries, Ropeways, etc.).
4. Co-operative Societies.
5. Registration.
6. Weights and Measures.

3. The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR, Minister for Education and Excise. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

1. Education (other than European and Anglo-Indian education).
2. Excise.
3. Development of Industries.
4. Fisheries.
5. Libraries, Museums and Zoological Gardens.
6. Pilgrimage within British India.

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PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The hon. Mr. B. RAMACHANDRA REDDI.

Deputy President.

M.R.Ry. Rao Bahadur G. JAGANNADHA RAJU Garu.

Panel of Chairmen.

M.R.Ry. Rao Bahadur A. T. PANNIRSELVAM Avargal.
„ Rao Bahadur T. A. RAMALINGAM CHETTIYAR Avargal.
„ M. A. MUTHIAH CHETTIYAR Avargal.
ABDUL HAMEED KHAN SAHIB Bahadur.

Secretary to the Council.

M.R.Ry. Rao Bahadur R. V. KRISHNA AYYAR Avargal, B.A., M.L.

Assistant Secretary to the Council.

M.R.Ry. D. K. V. RAGHAVA VARMA Garu, B.A., B.L.

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LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

	Name of member.	Name and class of constituency.
1	Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2	Ahmed Meeran Sahib Bahadur, Moulvi Hafeez Anumanthakudi Mustapha.	Ramnad *cum* Tinnevelly, Muhammadan Rural.
3	Alagannan Chettiyar, Rao Sahib A. S.	Madura, N.-M. Rural.
4	Alamelumangathayaramma, Mrs. K.	NOMINATED.
5	Annamalai Chettiyar, S. A. A.	Nattukottai Nagarathars' Association.
6	Arasu, V. T.	NOMINATED.
7	Ari Gowder, H. B. ..	The Nilgiris, N.-M. Rural.
8	Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Central Districts, Indian Christian.
9	Basheer Ahmed Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
10	Basu Dev, C.	NOMINATED.
11	Bayappa Reddi, P.	Anantapur, N.-M. Rural.
12	Beyabani Sahib Bahadur, S. M. K.	Ceded Districts, Muhammadan Rural.
13	Bhanoji Rao, A. V.	NOMINATED.
14	Birley, Frank	Madras Chamber of Commerce.
15	Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.	EX OFFICIO.
16	Davis, O.B.E., J. A.	Anglo-Indian.
17	Devadasan, M.	NOMINATED.
18	Dharmalingam Pillai, Rao Sahib V.	NOMINATED.
19	Duraiswami Reddiyar, K. M.	South Arcot, N.-M. Rural.
20	Ellappa Chettiyar, Diwan Bahadur S.	Salem, N.-M. Rural.
21	Foulkes, R.	NOMINATED.
22	Gopalaswami Mudaliyar, Diwan Bahadur M.	Bellary, N.-M. Rural.
23	Harischandrudu Nayudu, A. ..	Godavari East, N.-M. Rural.
24	Hood, I.C.S., H. M.	NOMINATED.
25	Indriah, C.	Godavari West, N.-M. Rural.
26	Jagannadha Raju, Rao Bahadur G. (*Deputy President*).	Vizagapatam, N.-M. Rural.
27	Jagannatham, H. M.	NOMINATED.
28	Jayaram Nayudu, Rao Sahib C.	Chingleput, N.-M. Rural.

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	Name of member.	Name and class of constituency.
29	Jones, I.C.S., C. E	NOMINATED.
30	Kesava Ramamurti Nayudu, K.	Cocanada City, N.-M. Urban.
31	Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly *cum* Srirangam, Muhammadan Urban.
32	Kolanda Reddi, Rai Sahib C.	Kistna, N.-M. Rural.
33	Koti Reddi, K.	Cuddapah, N.-M. Rural.
34	Krishnamurti, Rao Sahib D. ..	NOMINATED.
35	Krishnan, C.	NOMINATED.
36	Krishnan Nayar, *Kt.*, The hon. Diwan Bahadur Sir M.	EX OFFICIO.
37	Krishnaswami Ayyar, *Kt.*, Diwan Bahadur Sir Alladi.	NOMINATED.
38	Krishnayya Choudari, P. V.	Guntur, N.-M. Rural.
39	Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendrula Bahadur Varu).	Nellore, N.-M. Rural.
40	Kumaraswami Reddiyar, The hon. Diwan Bahadur S. (*Minister*).	Tinnevelly, N.-M. Rural.
41	Kuppuswami Choudari, J. ..	Guntur, N.-M. Rural.
42	Lakshmana Reddi, G. ..	Anantapur, N.-M. Rural.
43	Langley, W. K. M.	Madras Planters.
44	Luker, F. G.	Madras Trades Association.
45	Madanagopal Nayudu, R. ..	Madras City, N.-M. Urban.
46	Madhusoodhanan Thangal, P.	NOMINATED.
47	Maharaja of Venkatagiri (Sri Raja Velugoti Sri Govinda Krishna Yachendrula Bahadur Varu, K.C.I.E., Lieutenant-Colonel).	North Central Landholders.
48	Mahboob Ali Baig Sahib Bahadur.	Northern Circars, Muhammadan Rural.
49	Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	South Kanara, Muhammadan Rural.
50	Manikkavelu Nayakar, M. A.	North Arcot, N.-M. Rural.
51	Moidoo Sahib Bahadur, Khan Bahadur T. M.	Malabar, Muhammadan Rural.
52	Moses, P. C.	Northern Districts, Christian.
53	Muhammad Meera Ravuttar Bahadur, K. P. V. S. ..	Madura *cum* Trichinopoly, Muhammadan Rural.
54	Muniswami Nayudu, the hon. Diwan Bahadur B.	Chittoor, N.-M. Rural.
55	Muniswami Pillai, Rao Sahib V. I.	NOMINATED.
56	Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.

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	Name of member.	Name and class of constituency.
57	Muthiah Chettiyar, M. A. ..	Southern India Chamber of Commerce.
58	Muthu Chettiyar, Rao Bahadur P. C.	Madura, N.-M. Rural.
59	Nachiyappa Gounder, K. A. ..	Salem, N.-M. Rural.
60	Nadimuthu Pillai, A. Pl. N. V.	Tanjore N.-M. Rural.
61	Nanjappa Bahadur, Subadar-Major S. A.	NOMINATED.
62	Narasa Reddi, T.	Cuddapah, N.-M. Rural.
63	Narasimhaswami, D. V., Rao Sahib.	Godavari East, N.-M. Rural.
64	Narayanan Nambiyar, V. P.	Malabar, N.-M. Rural.
65	Narayanaswami Pillai, Rao Bahadur T. M.	Trichinopoly, N.-M. Rural.
66	Natesa Mudaliyar, Rao Bahadur C.	Madras City, N.-M. Urban.
67	Palat, R. M.	West Coast Landholders.
68	Pannirselvam, Rao Bahadur A. T.	Tanjore and Trichinopoly *cum* Madura, Christian.
69	Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
70	Patnaik Mahasayo, Sriman M. G.	Ganjam, N.-M. Rural.
71	Patro, *Kt.*, Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
72	Pattabhiramayya, K.	Kistna, N.-M. Rural.
73	Pattagar of Palayakottai (Rao Bahadur Nallathambi Sarkarai Manradiyar).	Coimbatore, N.-M. Rural.
74	Peddi Raju, P.	Godavari West, N.-M. Rural.
75	Pocker Sahib Bahadur, B. ..	Malabar, Muhammadan Rural.
76	Premayya, G. R.	NOMINATED.
77	Rajagopala Pillai, P. V. ..	NOMINATED.
78	Raja of Bobbili, The hon. (Sri Ravu Swetachallapathi Ramakrishna Ranga Rao). (*Minister*).	Vizagapatam, N.-M. Rural.
79	Raja of Kallikote (Raja Sri Ramachandra Marda Raja Deo Garu).	Northern Landholders, I.
80	Raja of Parlakimedi (Sri Sri Sri Krishna Chandra Gajapathi Narayana Deo Garu).	Ganjam, N.-M. Rural.
81	Rajan, The hon. Mr. P. T. (*Minister*).	Madura, N.-M. Rural.
82	Ramachandra Padayachi, P. K.	South Arcot, N.-M. Rural.
83	Ramachandra Reddi, The hon. Mr. B. (*President*).	Nellore, N.-M. Rural.
84	Ramakrishna Reddi, A. ..	Kurnool, N.-M. Rural.
85	Ramalingam Chettiyar, Rao Bahadur T. A.	Coimbatore, N.-M. Rural.

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	Name of member.	Name and class of constituency.
86	Ramamurti, Pandit Ganala ..	NOMINATED.
87	Raman Menon, K. P.	Malabar, N.-M. Rural.
88	Ramaswami Ayyar, T. S. ..	Madras University.
89	Ramaswami Mudaliyar, V. M.	North Arcot, N.-M. Rural.
90	Ranganatha Mudaliyar, A. ..	Bellary, N.-M. Rural.
91	Ranganatha Mudaliyar, G. ..	Tanjore, N.-M. Rural.
92	Ranganatha Mudaliyar, M. D. T.	Tinnevelly *cum* Palamcottah, N.-M. Urban.
93	Rangaswami Reddi, M. B. ..	North Arcot, N.-M. Rural.
94	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.	Coimbatore, N.-M. Rural.
95	Sahajanandam, Swami A. S. ..	NOMINATED.
96	Sami Venkatachalam Chetti ..	Madras City, N.-M. Urban.
97	Sesha Reddi, B. P.	Kurnool, N.-M. Rural.
98	Shetty, A. B.	South Kanara, N.-M. Rural.
99	Simhachalam Pantulu, Gade ..	Guntur, N.-M. Rural.
100	Singam Ayyangar, K. ..	Trichinopoly *cum* Srirangam, N.-M. Urban.
101	Siva Raj, Rao Sahib N. ..	NOMINATED.
102	Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.
103	Slater, C.M.G., C.I.E., I.C.S., S. H.	NOMINATED.
104	Smith, C.I.E., I.C.S., E. Conran.	NOMINATED.
105	Soundara Pandian, W. P. A.	NOMINATED.
106	Sreshta, M. S.	West Coast, Christian.
107	Srinivasa Ayyangar, T. C. ..	Ramnad, N.-M. Rural.
108	Srinivasan, Rao Bahadur R. ..	NOMINATED.
109	Sriramulu, G.	NOMINATED.
110	Stanes, F. J.	Madras Chamber of Commerce.
111	Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.	EX OFFICIO.
112	Subbarayan, Dr. P. (Zamindar of Kumaramangalam).	South Central Landholders.
113	Subrahmanyam Chetti, Rao Sahib P.	NOMINATED.
114	Subrahmanya Bhatt, U. C. ..	South Kanara, N.-M. Rural.
115	Sundara Rao Nayudu, T. ..	Madras City, N.-M. Urban.
116	Syed Tajuddin Sahib Bahadur, Khan Sahib.	Tanjore, Muhammadan.
117	Thomas, Daniel	Ramnad *cum* Tinnevelly, Christian.
118	Thorne, C.I.E., I.C.S., J. A. ..	NOMINATED.
119	Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed.	EX OFFICIO.
120	Vasudeva Pillai, V. G. ..	NOMINATED.
121	Vedachala Mudaliyar, M. ..	Chingleput, N.-M. Rural.
122	Venkatarama Ayyar, K. R. ..	Madura City, N.-M. Urban.
123	Venugopal Nayudu, Rao Bahadur R. K.	South Arcot, N.-M. Rural.

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	Name of member.	Name and class of constituency.
124	Wright, W. O.	European.
125	Yahya Ali Sahib Bahadur, Khan Bahadur.	East Coast, Muhammadan Rural.
126	Yakub Hasan Sahib Bahadur.	North Arcot *cum* Chingleput.
127	Zamindar of Bodinayakkanur (Kamaraja Pandia Nayakar, T. V. K.).	Southern Landholders.
128	Zamindar of Chemudu (Sri Vyricherla Narayana Gajapati Raju).	Vizagapatam City, N.-M. Urban.
129	Zamindar of Ettayapuram (Raja Jaga Veera Rama Kumara Venkateswara Ettappa Nayakar Ayyan).	Tinnevelly, N.-M. Rural.
130	Zamindar of Kirlampudi (Sri Raja Ravu Ramakrishna Ranga Rao).	NOMINATED.
131	Zamindar of Minampalli (K. C. M. Venkatachala Reddiyar).	Trichinopoly, N.-M. Rural.
132	Zamindar of Mirzapuram (Mirzapuram Raja alias Venkataramayya Appa Rao).	Northern Landholders, II.

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THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

OFFICIAL REPORT.

Third Session of the Fourth Legislative Council under the Government of India Act, 1919.

Monday, the 23rd January 1933.

The House met at eleven of the clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed.
Krishnan Nayar, *Kt.*, The hon. Diwan Bahadur Sir M.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.
Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.
Raja of Bobbili, The hon. The
Rajan, the hon. Mr. P. T.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alamelumangathayaramma, Mrs. K.
Arasu, Mr. V. T.
Ari Gowder, Mr. H. B.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Bayappa Reddi, Mr. P.
Beyabani Sahib Bahadur, S. M. K.
Bhanoji Rao, Mr. A. V.
Davis, Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. R.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Hood, I.C.S., Mr. H. M.
Indriah, Mr. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesava Ramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Krishnayya Choudary, Mr. P. V.
Krishnamurti, Rao Sahib D.
Krishnan, Mr. C.
Krishnaswami Ayyar, *Kt.*, Diwan Bahadur Sir Alladi.
Kumara Raja of Venkatagiri, The
Kuppuswami Choudari, Mr. J.
Lakshmana Reddi, Mr. G.
Langley, Mr. W. K. M.
Luker, Mr. F. G.
Madanagopal Nayudu, Mr. R.
Madhusoodhanan Thangal, Mr. P.
Mahboob Ali Baig Sahib Bahadur.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Muhammad Meera Ravuttar Bahadur, K. P. V. S.
Muniswami Nayudu, Diwan Bahadur B.
Muniswami Pillai, Rao Sahib V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthiah Chettiyar, Mr. M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nanjappa Bahadur, Subadar-Major S. A.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Rao Bahadur C.
Palat, Mr. R. M.
Pannirselvam, Rao Bahadur A. T.
Parthasarathi Ayyangar, Mr. C. R.
Patnaik Mahasayo, Sriman M. G.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.

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PRESENT:—*cont.*

Ramachandra Padayachi, Mr. P. K.
Ramalingam Chettiyar, Rao Bahadur T. A.
Ramamurti, Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Ranganatha Mudaliyar, Mr. M. D. T.
Rangaswami Reddi, Mr. M. B.
Sahajanandam, Swami A. S.
Sami Venkatachalam Chetti, Mr.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. Gade.
Singam Ayyangar, Mr. K.
Siva Raj, Rao Sahib N.
Slater, C.M.G. C.I.E., I.C.S., Mr. S. H.
Smith, C.I.E., I.C.S., Mr. E. Conran.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Bahadur R.
Stanes, Mr. F. J.
Subbarayan, Dr. P.
Subrahmanya Chetti, Rao Sahib P.
Subrahmanya Bhatt, Mr. U. C.
Sundara Rao Nayudu, Mr. T.
Syed Tajuddin Sahib Bahadur, Khan Sahib.
Thorne, C.I.E., I.C.S., Mr. J. A.
Vasudeva Pillai, Mr. V. G.
Venkatarama Ayyar, Mr. K. R.
Venugopal Nayudu, Rao Bahadur R. K.
Wright, Mr. W. O.
Yakub Hasan Sahib Bahadur.
Zamindar of Chemudu, The
Zamindar of Kirlampudi, The

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Criminal Tribes

Operation of the Criminal Tribes Act against the Dandasis of the Ganjam district.

* 417 *Q.*—Sriman M. G. PATNAIK Mahasayo: Will the hon. the Home Member be pleased to state—

(*a*) the total population of Dandasis in the Ganjam district;

(*b*) the number of persons of the Dandasi caste who are employed as village servants;

(*c*) the number of persons of the Dandasi caste who are registered under the Criminal Tribes Act;

(*d*) the number of persons of the Dandasi caste who were convicted
(i) before the date of registration, and
(ii) after such date, of non-bailable offences;

(*e*) the number of persons of the Dandasi caste who were removed from the register of criminal tribes under rule 8 of the rules framed under section 20 of the Criminal Tribes Act since the date of registration; and

(*f*) the number of persons of the Dandasi caste who are required to report themselves under section 109 of the Criminal Tribes Act?

A.—(*a*) 17,433 males and 24,335 females according to the census of 1921.
(*b*) 955.
(*c*) 1,961.
(*d*) (i) 743.
(ii) 157.
(*e*) 953.
(*f*) 168.

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Number of persons registered under the Criminal Tribes Act in the Bellary district.

* 418 *Q.*—Diwan Bahadur M. GOPALASWAMI MUDALIYAR: Will the hon. the Home Member be pleased to state—

(*a*) the number of persons registered under the Criminal Tribes Act in the district of Bellary;

(*b*) the number of cases in which 'Abeyance system' was adopted in the case of members of criminal tribes in the Bellary district; and

(*c*) whether there have been numerous complaints that agriculturists pursuing peaceful occupation are being registered?

A.—(*a*) 1,341.

(*b*) 622.

(*c*) No complaints have reached the Government. Members of criminal tribes are registered by the District Magistrate. The Government are not aware whether any representations were made to him.

Depressed Classes

Labour schools in the City of Madras intended for the exclusive benefit of the Arundhatiyas.

* 419 *Q.*—Mr. H. M. JAGANNATHAM: Will the hon. the Home Member be pleased to state—

(*a*) the number of day and night schools run by the Labour Department exclusively for the benefit of Arundhatiyas and their location in the City of Madras;

(*b*) the number of schools managed and supervised by the Arundhatiya Maha Sabha or its President from the year 1921 for which Government give monetary aid;

(*c*) the names of persons whom the Labour Department have appointed as correspondents for the above schools and the amount of honoraria paid to each;

(*d*) the reasons for handing over the management of the day school run in 43, Perambur High Road, by the Labour Department to the Corporation;

(*e*) the reasons for the closing of the night school run at 43, Perambur High Road, and under whose recommendation it was that the Labour Department decided to close the institution; and

(*f*) whether the Government will be pleased to lay on the table of the House, the correspondence that led to the closure of a number of day and night schools in the City of Madras?

A.—(*a*) There are at present two schools exclusively for the benefit of the Arundhatiyas and these are:—

(i) Labour night school, Pulianthope, Graynagar, Pulianthope Road, Perambur Barracks.

(ii) MackDoon Sheriff street night school, Periamet.

Both are night schools.

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(*b*) Up to May 1929, under the management and supervision of M.R.Ry. Rao Sahib L. C. Guruswami Avargal, President of the Arundhatiya Maha Sabha, five schools were conducted and their names are given below:—

(i) Madiga night school, Pulianthope.
(ii) Madiga (Arundhatiya Maha Sabha) night school, Perambur.
(iii) Arundhatiya Maha Sabha night school, Choolai.
(iv) MacDoon Sheriff street night school, Periamet.
(v) Arundhatiya Maha Sabha day school, Perambur.

The recurring charges in respect of these five schools were wholly met from the funds of the Labour Department but disbursed through Mr. Guruswami. Of the five schools, (i), (iii) and (iv) were handed over to this department in May 1929 while (ii) and (v) continued under the supervision of Mr. Guruswami without any financial aid from this department. There are thus no schools now managed and supervised by the Arundhatiya Maha Sabha or its President for which Government give monetary aid.

(*c*) When the above schools were in receipt of financial aid from this department, Rao Sahib Guruswami, under whose management the schools were, was recognized as the correspondent for them and the pay of teachers and other charges in respect of the schools were disbursed through him. No honorarium was paid to him.

(*d*) The Arundhatiya Maha Sabha day school in Perambur High Road was not handed over to the Corporation. It ceased to function as the financial assistance of this department was discontinued on the recommendation of the educational authorities. The Educational Officer of the Madras Corporation communicated a decision of the Standing Committee approving the suggestion of the Commissioner of the Corporation that, in order to avoid overlapping, the pupils of certain schools run by this department may be taken over by the Corporation and admitted in the Corporation schools in the locality concerned. The Arundhatiya Maha Sabha day school was one of the schools concerned. The President of the Sabha was informed of this in September 1929 and told that, as the Corporation were affording facilities for the education of the children who attended the Arundhatiya Maha Sabha day school, there was no need for this department to run a school and that financial support would not be given any longer to that school. No expenditure was incurred on this day school thereafter. The Sabha did

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not agree to the admission of the boys of the Arundhatiya Maha Sabha day school in the Corporation school, Perambur, and resolved to continue the school themselves. The school seems to have stopped functioning soon after.

(*e*) On the recommendation of the educational authorities it was decided to put an end to the system of honorary correspondents and the President of the Arundhatiya Maha Sabha was requested to hand over this school also to the Labour Department. But he did not agree and therefore the financial assistance of this department was withdrawn. No expenditure was incurred on this school after 1st April 1931. It is understood that the school is not being run now.

(*f*) The District Educational Officer, Madras, recommended the closure of some of the labour schools on the ground that the other schools in the locality had sufficient accommodation for the admission of the labour school pupils and a few of them (labour schools) were not working satisfactorily and had very poor attendance. The recommendations were given effect to. There has been no correspondence with the Government on the matter.

Law and Order—General

Arrest and conviction of Mr. T. P. Alwar of Masulipatam.

* 420 *Q.*—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(*a*) when Mr. T. P. Alwar of Masulipatam was arrested and why;

(*b*) whether he lodged a petition against the police with the District Magistrate complaining of certain illegal actions on their part, and if so, whether it was before or after his arrest; and

(*c*) whether he was convicted under section 17 (1), Criminal Law Amendment Act, and, if so, what the sentence was and when he was sent to the Rajahmundry jail ?

A.—(*a*) Mr. T. P. Alwar was arrested on 21st March 1932, under section 17 (1) of the Criminal Law Amendment Act, 1908, because he was helping with money and food Congress volunteers who were picketing foreign cloth shops in Masulipatam.

(*b*) He did not lodge a petition with the District Magistrate but before his arrest he appeared before the District Magistrate with two volunteers who complained of being beaten by the police. These volunteers when sent for to appear before the District Magistrate for further enquiry into their allegations refused to appear.

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(*c*) Yes. He was convicted and sentenced to six months' rigorous imprisonment and a fine of Rs. 200 or six weeks' further rigorous imprisonment in default. He was sent to Rajahmundry jail on 6th April 1932.

Right of the Hindus to play music before the mosque at Nandyal.

*421 *Q.*—B. POCKER SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

(*a*) whether it is true that the predecessor of the present District Magistrate prohibited music before the mosque at Nandyal on two occasions under section 144 on 23rd April 1932 and 6th May 1932 and referred the Hindus to establish a right in a Civil Court;

(*b*) whether in consequence thereof, the Hindus filed a suit to establish a right in the District Munsif's Court, Nandyal, which is still pending; and

(*c*) what action the Government propose to take in the matter?

A.—(*a*) & (*b*) The attention of the hon. Member is invited to the answer to clauses (*a*) and (*d*) of question No. 258, given in the Legislative Council on 1st November 1932. The Government have no information regarding orders under section 144, Criminal Procedure Code, said to have been issued by the District Magistrate on 23rd April 1932 and 6th May 1932. As regards the civil suit referred to, the Government find from a petition received from certain Muhammadans at Nandyal, dated 5th October 1932, that the Hindus have filed a suit in the District Munsif's Court at Nandyal for a declaratory decree permitting the carrying of processions with music before the mosque at Nandyal.

(*c*) The question being before a competent court of law, the Government do not propose to take any action.

Mr. YAKUB HASAN:—" Will the hon. the Home Member be pleased to state whether music continues to be prohibited till the right of playing it is established in the court by the Hindus? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" I do not know what is happening at present, and the whole matter is now before the court."

Mr. ABDUL HAMEED KHAN:—" Is it not a fact that on the last occasion the District Magistrate, in contravention of the orders issued by his predecessor, permitted the playing of music before the mosque? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" This is a matter left entirely to the discretion of the District Magistrate."

Mr. ABDUL HAMEED KHAN:—" Whether it is left to the discretion of the District Magistrate or not, may I know whether representation was not made to the hon. the Home Member and, in view of that representation, what action has the Government taken? "

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The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"There is no necessity for us to take any action in the matter, because the matter is now before a court of law."

Mr. ABDUL HAMEED KHAN:—"The question is this, Sir. Though the matter may be before a court of law, I want to know whether it is not a fact that the District Magistrate has precipitated the issue and has taken action in contravention of previous orders?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I do not think he has acted illegally. It is a matter within his discretion and he has exercised that discretion."

Mr. ABDUL HAMEED KHAN:—"Is it not a fact that the previous District Magistrate's order was different from that of the present District Magistrate?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"That does not alter the situation."

Mr. ABDUL HAMEED KHAN:—"I want my question to be answered, Sir, viz., whether it is not a fact that this District Magistrate's orders were different from the orders of the previous District Magistrate?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"That is clear from the reply."

Police

Alleged desecration of the Durga and mosque in Trichinopoly.

* 422 *Q.*—Mr. BASHEER AHMED SAYEED: Will the hon. the Home Member be pleased to state—

(*a*) whether it is a fact that on the 1st November 1932, the Circle Inspector of Police and the Sub-Inspector of Police with a posse of constables trespassed into the Durga and mosque and the burial ground attached thereto and situate on the Woriore road, Trichinopoly, against the protest of the trustees appointed by court and in charge of the premises;

(*b*) whether it is a fact that after the said Circle Inspector trespassed into the said burial ground and Durga, he allowed the servants of the St. Joseph's College authorities to plough the nanja lands adjacent to the Durga and the mosque belonging to and in possession of the trustees and instigated the said servants to block the old right of way by digging and throwing enough mud from the burial ground adjacent thereto;

(*c*) whether it is a fact that the Circle Inspector of Police instigated and connived at the Adi-Dravida and other servants of the St. Joseph's College authorities desecrating the burial ground, Durga and mosque premises and thereby caused great annoyance to the Muslim community;

(*d*) whether it is a fact that after having thus allowed the desecration and defiling of the sacred tombs and the mosque of the Muslims, the Circle Inspector posted constables as guards opposite to the mosque and

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Durga premises so as to prevent Muslims going into the mosque or offering prayers in the mosque or to the souls of the dead buried in the premises;

(*e*) under whose authority and under whose orders and under what law the Circle Inspector of Police has acted in thus trespassing into the said buildings and premises belonging to the Muslim community and preventing worship therein; and

(*f*) whether any enquiry under any sections of the Criminal Procedure Code was held and evidence taken as to the possession of the lands and premises in question before the Circle Inspector took such action?

A.—(*a*) No. It is reported that on 31st October 1932 the Inspector visited the lands under cultivation by the St. Joseph's College authorities. He did not go near the Durga, the mosque or the burial ground nor were any of the trustees present.

(*b*) Under the orders of the District Magistrate, Trichinopoly, the Inspector allowed the College authorities to plough the nanja lands which were reported to be in their possession for many years. The Inspector did not instigate the College servants to block any right of way. What actually happened was that some mud was thrown up on the pathway in the course of cultivation of the nanja fields and owing to heavy rains the path became muddy, though not impassable. The District Superintendent of Police visited the place and had the pathway cleared by the College servants.

(*c*) No. The Adi-Dravida and other servants of the College authorities did not go near the burial ground, Durga or mosque, but entered the College fields through the road to plough them.

(*d*) The allegations are not in accordance with the facts. Muslims are not prevented from entering the mosque or Durga or from offering prayers.

(*e*) & (*f*) The Inspector acted under the orders of the District Magistrate. There was no need for any enquiry under the Criminal Procedure Code.

Forests

Rules regarding the grazing of cattle in the forest areas.

* 423 *Q*.—Sriman M. G. PATNAIK Mahasayo: Will the hon. the Law Member be pleased to state—

(*a*) whether payment of grazing fees in a particular range entitles a man to graze his cattle in the forests of that range only and does not entitle him to graze his cattle in the contiguous forests of the neighbouring range;

(*b*) the extent of forests open to grazing in the Ghumsur taluk in 1927–28, 1928–29, 1929–30, 1930–31 and 1931–32;

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(*c*) whether it is a fact that the forest area available for cattle grazing on payment of fees in Ghumsur taluk is gradually reduced; and

(*d*) if so, the reasons for such reduction?

A.—(*a*) Where different fees for different ranges are in force, it is open to a ryot to graze his cattle throughout the ranges in the division on payment of the highest fee charged in any range. If a man prefers to pay a lower fee he can graze cattle only in the range to which that fee applies.

(*b*)

Year.	Area in acres.
1927–28	277,538
1928–29	276,863
1929–30	276,221
1930–31	273,792
1931–32	273,111

(*c*) Yes.

(*d*) The reduction is due to the fact that coupes of the timber working circles are closed to grazing each year, after working. The large decrease in the year 1930–31 was chiefly due to the closure of the worked fuel coupes, one to five years' old, according to the prescription in the Revised Working Plan for the Ghumsur forests. These were open to grazing up to 1929–30 according to the old Working Plan.

Prisons and Prisoners

Number of Mappillas connected with the Malabar rebellion who are still absconding.

* 424 *Q.*—B. POCKER SAHIB Bahadur: Will the hon. the Law Member be pleased to place on the table of the House, at an early date, the names of the 36 persons referred to in his answer to question No. 344 answered on the 3rd November 1932 stating the offences for which each of them was wanted by the Police ?

A.—The Government have further considered the question of publishing the information required and decided that such publication would serve no useful purpose, while it may be prejudicial to the interests of the persons concerned.

Mr. ABDUL HAMEED KHAN:—" In answer to this question, the hon. the Law Member says that no useful purpose will be served by the publication of the information. May I know, Sir, how such publication will be prejudicial to the interests of the persons concerned? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I am very sorry, Sir, that my Friend does not see the position of those 36 men. The 36 men that have been referred to in this question were charged with very serious offences such as murder, dacoity, and waging war against the King, and the Government, after

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mature deliberation and after consulting the district authorities, have deliberately come to the conclusion that, having regard to the lapse of time after this rebellion and other circumstances, it is not desirable to proceed with the cases against these persons, and have resolved not to prosecute them. And I answered the other day on the floor of this House that these 36 persons were at liberty to go to their homes and that they need fear no prosecution. In these circumstances, it is not in the interests of those persons to publish to the world their names and the fact that they have been charged with serious offences like murder and waging of war against the King. And I am sure that neither my friend nor the Government will be thanked by those persons if their names are published. The sooner we forget these things the better for all concerned."

Health of the political prisoners confined in jails.

*425 *Q.*—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Law Member be pleased to state—

(*a*) the number of political prisoners at present in jails undergoing various terms of imprisonment; how many of them are males and how many females;

(*b*) how many of them are under medical treatment;

(*c*) how many of them are in-patients in hospitals; and

(*d*) what the causes are for the ailment of those prisoners who are under medical treatment?

A.—(*a*) The hon. Member is referred to the answer to clause (*a*) of question No. 341.

(*b*), (*c*) & (*d*) The Government have not complete information.

Mr. K. A. NACHIYAPPA GOUNDER:—"In answer to clauses (*b*), (*c*) and (*d*), the Government say they have no information. May I know whether the information will be called for and placed on the table of the House?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I am afraid that the benefit that is likely to be derived from the obtaining of that information will be out of all proportion to the labour involved in collecting it. The number of prisoners now undergoing imprisonment for civil disobedience roughly—I cannot give the exact figure—will be about 1,500 or so. The trouble involved in making these detailed enquiries which my friend wants, as I submitted, will be out of all proportion to the benefit that is likely to be derived therefrom."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I ask the hon. the Law Member if he is not aware from various reports of Honorary Visitors and others that in most of these cases the ailments of the prisoners are due to want of buttermilk and also want of raw rice?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"No. I am not aware of it, Sir."

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Alleged beating of Veerabhu at the Bellary jail.

* 426 *Q.*—Mr. ABDUL HAMEED KHAN: Will the hon. the Law Member be pleased to state whether, when the prisoner named Mr. Veerabhu cried out to the Superintendent of the jail appealing to him to stop the flogging of Srijut Mahabir Singh of Lahore at the Bellary jail on 17th October 1932, he was beaten severely by the convict warders and the warders?

A.—The answer is in the negative.

Mr. ABDUL HAMEED KHAN:—" It is stated here that the answer to this question is in the negative. Does that answer refer to Srijut Mahabir Singh having been flogged or Mr. Veerabhu having been beaten? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Only to the latter."

Sale price of jail-made goods.

* 427 *Q.*—Mr. W. O. WRIGHT: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that in reply to a recent deputation on the subject of jail industries, the Government stated that the selling prices of jail-made goods would not ordinarily be more than the local market rate; and

(*b*) whether the Government have assured themselves that the selling prices of such goods would not be less than the local market rates?

A.—(*a*) Yes.

(*b*) The prices of jail-made articles are fixed under rule 988, Jail Manual, and the Government have no reason to believe that this rule is not followed.

Mr. W. O. WRIGHT:—" As the Government's selling policy in 1931 resulted in over one-third of jail products remaining unsold, will the hon. the Law Member consider the question of restricting the manufacture in jails to the actual requirements of Government? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I shall consider my friend's suggestion."

Mr. BASHEER AHMED SAYEED:—" May I ask if the Government is not willing to have restricted production, whether they will see that, in view of the cheapness of labour and the rather free labour of the jails, they reduce the rates to some extent lower than the market rates? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I am afraid that it is not possible, for, if the price is reduced to a figure lower than the market rate, it will really be competing with private enterprise."

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Mr. A. RANGANATHA MUDALIYAR:—" May I know how the position was in the subsequent year, 1932? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Notice."

Irrigation

The Tungabhadra Project.

* 428 *Q.*—Diwan Bahadur M. GOPALASWAMI MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) at what stage the negotiations with His Exalted Highness the Nizam's Government stand with regard to the Tungabhadra Project;

(*b*) if there has been no appreciable progress since the 1st October 1932, what the cause is; and

(*c*) whether any provision is being made in the budget for starting the project; if not, why not?

A.—(*a*) The attention of the hon. Member is invited to the answer to question No. 414, dated 8th November 1932.

(*b*) The Chief Engineer for Irrigation has yet to meet the Chief Engineer of His Exalted Highness the Nizam's Government.

(*c*) No. Under the Budget Rules no provision can be made for a scheme which has not yet been sanctioned.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I know from the hon. the Revenue Member what the reason is for the delay in our Chief Engineer meeting the Chief Engineer of His Exalted Highness the Nizam of Hyderabad? "

The hon. Sir ARCHIBALD CAMPBELL:—" When I went to Hyderabad the Chief Engineer of His Exalted Highness the Nizam's Government was in Europe. He recently returned from Europe. And the Chief Engineer of this Government has written to the Chief Engineer of His Exalted Highness the Nizam's Government to arrange an early date for meeting."

The Ghiriar Project.

* 429 *Q.*—Mr. M. DEVADASAN: Will the hon. the Member for Revenue be pleased to state—

(i) to lay on the table of the House all the papers relating to the investigation of the Ghiriar Irrigation Project proposed for the benefit of Sankarankoil, Sattur and Srivilliputtur taluks of the Tinnevelly and Ramnad districts; and

(ii) to state—

(*a*) when the Ghiriar project was examined last; and

(*b*) whether the project is likely to be re-examined and, if so, when?

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A.—(i) A summary of the correspondence relating to the project from the date of its inception in 1887 down to 1919 when it was finally abandoned is given below:—

The Ghiriar project for the diversion into the Tinnevelly district of the Ghiriar stream which rises in the Western Ghauts and flows entirely in Travancore territory, was first suggested in 1887 by the inhabitants of the Sankaranayinarkoyil, Sattur and Srivilliputtur taluks. It was believed that the stream was a tributary of the Periyar and as it was considered inadvisable to allow any diversion of water from the Periyar basin in view of the contemplated Periyar project, it was ordered that the point whether the stream was, or was not a feeder to the Periyar should, when an opportunity occurred, be examined and definitely reported on. The course of the stream was explored in 1891–92 and it was found that it was not a tributary of the Periyar. The exploration, however, showed that the direction of the flow of the Ghiriar was such that nowhere did it approach the dividing ridge except in its uppermost course where the catchment area was small and that a tunnel through the dividing ridge would be 8,000 feet long and would alone cost upwards of 2 lakhs. The Government, therefore, considered it inadvisable to incur further expenditure on investigations connected with the proposed diversion of the Ghiriar waters. The question was again raised in 1902 and a further examination of the possibility of such a project was made. No actual investigation was done till 1908, when the Superintending Engineer (Mr. Medlicott) inspected the locality and reported that the Ghiriar could be diverted into Tinnevelly by a tunnel 8,000 feet long through the hills into a series of reservoirs to be constructed at the foot of the eastern slope of of the Ghauts. The cost of the work was estimated at 6 lakhs. The Chief Engineer (Irrigation) considered it inadvisable to investigate the scheme further, and the Government directed that the scheme should be definitely abandoned. In February 1914, at the instance of the Collector, the further investigation of the scheme was ordered, but it was deferred, as the Travancore Darbar were reported to be contemplating the investigation of the upper waters of the Ghiriar for irrigation in Travancore territory. In June 1919, the Resident in Travancore and Cochin reported that the Darbar regretted that the waters of the Ghiriar could not be allowed to be diverted for the benefit of the Tinnevelly district as the Darbar

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had under contemplation a hydro-electric scheme in the Kaki Aur, of which the Ghiriar is a tributary, and as the run off of every available square mile of the catchment was required for it. Accordingly, the further investigation of the Ghiriar project was abandoned finally in July 1919.

(ii) (*a*) 1919.
(*b*) No.

Irrigation sources of Injambakkam village, Conjeeveram taluk.

• 430 *Q.*—Rao Sahib V. DHARMALINGAM PILLAI: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that in connexion with irrigation sources of Injambakkam village No. 143, Conjeeveram taluk, it was decided, as far back as 1902, that the level of the Calingula of Periya eri and Chitteri be raised by 1·42 feet and 1·50 feet, respectively, and that the work in Chitteri tank was executed and the work of Periya eri, though sanctioned, was not carried out; and

(*b*) why the ring-bund improvised by villagers was removed and under whose authority?

A.—(*a*) & (*b*) A copy[a] of the Executive Engineer's report No. 1425-S.E., dated 15th November 1932, is laid on the table.

Land Revenue Administration.

Levy of penalties in the Tanjore district for petty encroachments.

• 431 *Q.*—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the hon. the Member for Revenue be pleased—

(1) to call for and lay on the table

(*a*) a firkawar list of penalties irregularly imposed on ryots by the Revenue authorities in the Tanjore district for petty encroachments on channels and pathways under 20 links in width marked in detail in the plan, in contravention of the Board's circular of 1922;

(*b*) the total revenue thus derived during the years 1930, 1931 and 1932; and

(2) to state what action the Government propose to take to avoid a recurrence of the same?

A.—(1) & (2) The desired information cannot be compiled without a great deal of labour. No cases in which the instructions contained in Board's Proceedings Mis. No. 894, dated 30th May 1922, have been disregarded, have been brought to the notice of the Government.

Alleged tyranny of the village munsif of Injambakkam, Conjeeveram taluk.

• 432 *Q.*—Rao Sahib V. DHARMALINGAM PILLAI: Will the hon. the Member for Revenue be pleased to state whether a memorial has been

[a] Printed as Appendix I on pages 106–107 infra.

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submitted to Government by caste Hindus and cheri people of Injambakkam, Conveeveram taluk, in July 1932, against the tyrannous actions of the village munsif and what action was taken thereon?

A.—No such memorial has been received by the Government.

Public Service

Principles guiding the Government in granting exemption from appearing for the competitive examination held by the Madras Services Commission.

* 433 *Q.*—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state on what principles the Government exempt or refuse to exempt persons already in the service of Government from appearing for the competitive examination held by the Madras Services Commission ?

A.—The hon. Member is apparently referring to the competitive examination for appointment to the Madras Ministerial Service. Exemption from having to appear for this examination is accorded not by Government but by the Madras Services Commission and the persons who are eligible for such exemption are indicated in G.Os. No. 1302, Public, dated the 27th September 1930 and No. 451, Public, dated the 28th April 1931, copies [a] of which are laid on the table.

Cessation of shorthand allowance in the case of Upper Division clerks.

* 434 *Q.*—Khan Bahadur YAHYA ALI SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(*a*) how many clerks of the Upper Division working as stenographers or typists are affected in consequence of the cessation of their special allowances under G.O. No. 1140, dated 1st September 1932;

(*b*) what the amount of savings is that the Government expect as a result of this measure of retrenchment;

(*c*) whether there is any principle or policy involved in making a distinction between the Upper Division and Lower Division clerks in the matter of treating the difference as personal pay;

(*d*) whether the attention of the Government has been drawn in passing these orders to previous orders contained in G.O. No. 255, dated 8th May 1916, to the effect that the shorthand allowances in the Sessions Courts have been declared remunerative and pensionable; and

(*e*) whether the Government will be pleased to lay the aforesaid two Government Orders (G.O. No. 1140, dated 1st September 1932 and G.O. No. 255, dated 8th May 1916) on the table of the House ?

A.—(*a*), (*b*) & (*c*) Such of the clerks other than Lower division clerks and typists as were actually in receipt of the special pay for shorthand on the 31st August 1932 have since

[a] Printed as Appendix II on pages 107–109 infra.

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been permitted, subject to certain conditions, to continue to draw that special pay after that date—vide G.O. No. 1589, Public (Services), dated the 9th December 1932, laid on the table.

(*d*) Yes.

(*e*) G.O.[a] No. 1140, Public, dated 1st September 1932, and relevant extracts [a] of G.O. No. 255, Financial, dated the 8th May 1916 are laid on the table.

Ecclesiastical

Cases instituted under section 68 of the Indian Christian Marriage Act.

* 435 *Q.*—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Finance be pleased to state the number of cases instituted in this Presidency under section 68 of the Indian Christian Marriage Act, and the number of accused concerned and convicted in them respectively for the past five years?

A.—As the hon. Member is aware, the Local Government are merely the agents of the Government of India in regard to this matter.

The Government are not in possession of the information required by the hon. Member.

Local Self-Government

Estimated income and expenditure of certain taluk boards proposed to be constituted in the Ganjam district.

* 436 *Q.*—Sriman M. G. PATNAIK Mahasayo: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) the estimated income and expenditure of each of the undermentioned seven revenue taluk boards which have been ordered or proposed to be constituted:—

(1) The Chicacole Taluk Board,
(2) The Parlakimedi Taluk Board,
(3) The Tekkali Taluk Board,
(4) The Chatrapur Taluk Board,
(5) The Kodala Taluk Board,
(6) The Ghumsur Taluk Board,
(7) The Aska Taluk Board;

(*b*) the financial considerations which weighed with the Government not to bifurcate the Berhampur Taluk Board;

(*c*) whether the question of financial position of a taluk board for the Berhampur revenue taluk and of a taluk board for the Sompeta revenue taluk was considered after or in view of the redistribution of taluks which came into effect on 1st July 1932 in consequence of the abolition of the Ichchapur taluk;

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[a] Printed as Appendix III on pages 109–114 infra.

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(*d*) if so, what the estimated income and expenditure of the said taluk boards, if constituted, would be; and

(*e*) the income and expenditure of:—

(1) Berhampur Taluk Board,
(2) Chicacole Taluk Board,
(3) Chatrapur Taluk Board,
(4) Ghumsur Taluk Board,

in 1929–30, 1930–31 and 1931–32?

A.—(*a*)

	Receipts.	Charges.
	Rs.	Rs.
Chicacole Taluk Board	44,390	31,278
Parlakimedi Taluk Board ..	23,585	28,298
Tekkali Taluk Board	30,985	21,818
Chatrapur Taluk Board ..	17,440	17,350
Kodala Taluk Board	37,850	34,740
Ghumsur Taluk Board ..	16,600	15,090
Aska Taluk Board	39,090	34,650

(*b*) & (*c*) The jurisdiction of the Berhampur Taluk Board originally extended over to revenue taluks of Berhampur, Sompeta and Ichchapur. The last two were small areas and were each under the jurisdiction of an independent Deputy Tahsildar only so far as zamin villages were concerned but were under dependent Deputy Tahsildars so far as Government villages were concerned. It was not therefore possible to constitute a taluk board for each of these taluks. Subsequently as a measure of retrenchment, the Ichchapur revenue taluk was abolished, the Mandasa estate was taken away from it and added to the Tekkali taluk and the rest of the area was added to the Sompeta taluk. But the Deputy Tahsildar of Sompeta is still independent only so far as the zamin villages are concerned. A taluk board cannot be formed for such an area.

(*d*) Without making any provision for works and excluding the elementary education account, the receipts and charges under the general account will be as shown below:—

	Berhampur.	Sompeta.	Ichchapur.
	Rs.	Rs.	Rs.
Receipts ..	34,500	21,560	25,520
Charges ..	36,090	20,010	18,390

(*e*) A statement [a] furnishing the information is attached.

[a] Printed as Appendix IV on pages 115–117 infra.

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Proposal to build a new bridge across the river Palar between Katpadi and Vellore.

*437 *Q.*—Mr. M. A. MANIKKAVELU NAYAKAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether it is proposed to build a new bridge over the river Palar between Vellore and Katpadi in the place of the present bridge;

(*b*) what the width is of the proposed bridge;

(*c*) what the estimated cost is of the proposed bridge;

(*d*) whether the width of the present bridge is quite inadequate for the traffic between Vellore and Katpadi;

(*e*) whether the Government took any steps to have an idea of the traffic on Katpadi-Vellore road at present; and

(*f*) whether the opinion of Engineers about the durability of the present bridge is conflicting or not?

A.—(*a*) Yes; the North Arcot District Board has made the proposal.

(*b*) Twenty-four feet.

(*c*) The cost is roughly estimated at Rs. 8,39,200.

(*d*) The Government have no information.

(*e*) No.

(*f*) The Government are not aware of any difference of opinion in the matter.

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know at what stage the proposal to construct a bridge over the Palar between Vellore and Katpadi stands?"

The hon. the RAJA OF BOBBILI:—"The estimate has, I think, been sanctioned, and the work will be taken on hand."

Proposal to build an overbridge on the Poney river at Rice causeway.

*438 *Q.*—Mr. M. A. MANIKKAVELU NAYAKAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether the proposal to build an overbridge on Poney river at Rice causeway, North Arcot, has taken a definite shape;

(*b*) whether there was any proposal at all to build the overbridge across the Palar river at Wenlock causeway; if so, whether that proposal was dropped and preference was given to the proposal of building the overbridge at Rice causeway;

(*c*) what the estimated cost is of the bridges at Rice causeway and Wenlock causeway, respectively;

(*d*) whether the whole cost of building the bridge is to be borne by the Local Government or partly by the Local Government and partly by the Central Government; and

(*e*) if it is the latter, what the proportion is of the contribution by the respective Governments?

A.—(*a*) Yes.

(*b*) & (*c*) The proposal was to build a bridge across the Palar close to Melvisharam and not at the Wenlock causeway.

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The cost of this bridge was estimated at Rs. 10 lakhs but the proposal was given up in favour of the proposed bridge near the Rice causeway estimated to cost Rs. 6·25 lakhs only.

(*d*) & (*e*) The question is under consideration.

Right of user of the roads round the Guruvayur temple.

* 439 *Q.*—Mr. A. B. SHETTY: Will the hon. the Minister for Local Self-Government be pleased to state whether the Government have taken steps to enforce the order of the High Court in regard to the use of the roads round the temple in Guruvayur in Malabar; and if so, what measures have been taken?

A.—The question of the enforcement of the order of the High Court will arise if and when any person takes any action contrary to the order of the High Court in such a manner as to be likely to cause a breach of the peace.

Mr. A. B. SHETTY:—" May I know whether, since the receipt of the answer to this question in this office, any occasion has arisen to take steps to enforce the order? "

The hon. the RAJA OF BOBBILI:—" The Government will only interfere if there is a breach of the peace and a breach of the peace is apprehended."

Payment of life insurance premia from out of the provident fund of the employees of local boards and municipalities.

* 440 *Q.*—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state the reasons for issuing G.O. No. 4650, L. & M., dated 2nd December 1931, which modifies an earlier G.O. No. 3290, L. & M., dated 12th July 1929, regarding concessions granted to local board and municipal employees in paying life insurance premia out of their provident fund, in the hands of their employers?

A.—The restrictions imposed by the rules issued with G.O. No. 4650, L. & M., dated the 2nd December 1931, that the investments by employees of local bodies, of their provident fund accumulations in policies of life assurance should be confined only to subscriptions recovered from the subscribers and interest thereon and should not extend to the bonus payable by the local body also, are for the following reasons:—

(1) It is not wise in the interest of the employees to divert all the amount standing to their credit in the provident fund, and

(2) some reserve has to be provided to meet the payment of any amount due under a liability incurred by the subscriber to the local body.

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Policy regarding the constitution of the panchayat boards.

*441 *Q.*—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) the policy of the Government in regard to the constitution of the panchayat boards;

(*b*) whether there has been any change of policy in the last two years; and

(*c*) the number of panchayat boards in the Province at the beginning of the years 1931-32, 1932-33, and now, respectively?

A.—(*a*) The policy of the Government is to constitute panchayats for villages whose residents or a majority of them desire to have panchayats and where it is expected that the institutions will work successfully and to the benefit of the residents, and to make special efforts in this regard in districts where the response to the movement has not been adequate.

(*b*) No, except that the panchayats which were originally constituted under the Village Panchayat Act have also been brought within the purview of the Madras Local Boards Act, 1920, and that, for purposes of administrative convenience, the jurisdiction of panchayats is generally so fixed as to be coterminous with one or more revenue villages and not parts thereof.

(*c*) Number at the beginning of the year 1931–32 ... 3,898
Number at the beginning of the year 1932–33 ... 4,474
Number on 31st October 1932 4,499

Mr. A. RANGANATHA MUDALIYAR:—" How is it, Sir, that the increase in the number of panchayats is by no means at the same rate as was the case in the previous year? Is it due to any change of policy? "

The hon. the RAJA OF BOBBILI:—" No, Sir. It is not due to any change of policy."

Medical Administration

Proposal to transfer the dispensary at Ganjam to Humma.

*442 *Q.*—Sriman M. G. PATNAIK Mahasayo:. Will the hon. the Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the Director of Public Health contemplates the transfer of the dispensary in the town of Ganjam to Humma in Ganjam district for the benefit mainly of the establishment of the Salt factory at Humma;

(*b*) whether the Government have received any memorial protesting against the proposed transfer of the dispensary at Ganjam; and

(*c*) whether in May 1931 the Government ordered the retention of the dispensary at Ganjam?

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A.—(*a*) After visiting Ganjam and Humma recently, the Director of Public Health considered that from a malarial point of view it would be desirable to transfer to Humma the local fund dispensary at Ganjam. The Government have, however, issued orders accepting the Surgeon-General's recommendation to retain the dispensary at Ganjam.

(*b*) Yes.

(*c*) Yes.

Agriculture

Slump in the sale of paddy in the Tanjore district.

* 443 *Q.*—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the hon. the Minister for Public Works be pleased to state what steps the Government have taken or propose to take to remove the heavy slump in the Tanjore district paddy sales?

A.—The Government have no information regarding the alleged heavy slump in paddy sales in the Tanjore district. They will consider the question of addressing the railway authorities for a reduction of freight rates.

Dr. P. SUBBARAYAN:—" Have the Government since considered the question of addressing the Railway authorities with regard to reduction of freight? "

The hon. Mr. P. T. RAJAN:—" The matter is under consideration."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know whether any steps are under contemplation for giving facilities to the marketing of paddy, groundnut and other agricultural produce of this Presidency? "

The hon. Mr. P. T. RAJAN:—" Not for rice in particular."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know if marketing facilities are under contemplation for any other agricultural produce? "

The hon. Mr. P. T. RAJAN:—" The proposal to give marketing facilities is for cotton, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask why the same or similar steps could not be taken with reference to paddy, groundnut and other agricultural produce? "

The hon. Mr. P. T. RAJAN:—" I do not think any special facilities were given so far as rice is concerned. But the matter so far as groundnut is concerned will be considered after the question of cotton is disposed of."

Mr. V. T. ARASU:—" The answer to this question was furnished by Government on the 11th November last. May I ask if the Government have since taken any steps in this direction, namely, addressing the Railway authorities to reduce the freight? "

The hon. Mr. P. T. RAJAN:—" I believe the Railway authorities, i.e., the South Indian Railway Company, have been addressed."

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Co-operative Societies

Investment of the funds of insurance companies in Land Mortgage or Industrial banks.

*444 *Q.*—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the hon. the Minister for Public Works be pleased to state whether representations have been made to him suggesting that insurance companies might be induced to invest their surpluses in Land Mortgage or Industrial banks so as to confer the maximum economic advantage on the country; and, if so, whether the Government propose to take any action thereon?

A.—The President of the Central Land Mortgage Bank, Madras, has represented to Government that insurance companies should be induced to invest their funds in the debentures of the Central Land Mortgage Bank and that some of these companies have expressed their desire to invest their funds in the debentures of the bank if they are declared trustee securities. The Government have taken up the question of amending the Indian Trusts Act to secure this object and the subject is under correspondence with the Government of India.

Mr. G. SIMHACHALAM PANTULU:—"It is said in the answer that the matter is under correspondence with the Government of India. May I know if that Government's orders have been received now?"

The hon. Mr. P. T. RAJAN:—"No. It is for the Government of India to take action in the Legislative Assembly, not here."

Public Works

Closure of the side entrance to the fort at Vellore.

*445 *Q.*—Mr. M. A. MANIKKAVELU NAYAKAR: Will the hon. the Minister for Public Works be pleased to state—

(*a*) whether a side entrance to the fort at Vellore, overlooking the power house of the Vellore Electric Corporation has been closed for some time past;

(*b*) why was it closed and on whose orders; and

(*c*) whether representations were made to the authorities concerned about the hardship caused thereby to a large number of clerks and others working in the various offices within the fort?

A.—(*a*) Yes.

(*b*) The Principal, Police Training School, closed the side entrance in consultation with the Collector, North Arcot. The reasons are:—

(i) prevention of loafers and other undesirables from entering that part of the Police Parade grounds used for bayonet fighting and lathi drill and committing nuisance.

(ii) prevention of loafers getting up on the walls of the sub-jail which adjoin the side entrance and damaging them.

(*c*) No.

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Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government is aware that very respectable people and several officials and clerks working inside the fort of Vellore are using this entrance?"

The hon. Mr. P. T. RAJAN:—"I do not know."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government will be pleased to consider the question of having this gate reopened?"

The hon. Mr. P. T. RAJAN:—"Obviously for the reasons mentioned in the answer the question cannot be considered."

Education

Advisory Committee for prescribing text-books for the S.S.L.C. Examination and the Technical Examinations.

* 446 *Q.*—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether there are any Advisory Committees for recommending text-books in English and the other languages for the S.S.L.C. and the technical examinations;

(*b*) how are these committees constituted, what are their functions and powers and who is the authority appointing and recommending the members;

(*c*) whether there is any procedure followed by these committees in the approval and prescribing of text-books for the various examinations; if so, whether a copy of the procedure followed will be placed on the Council table;

(*d*) who is the authority that finally approves of the recommendations of these committees and what is the Government order governing his functions and powers and whether a copy of the same will be placed on the Council table; and

(*e*) what were the recommendations made by the committees for Indian languages for the examinations of 1933–34 and whether the same have been approved of by the said authority; if so, when were the same approved and whether all the books so approved have been published in the *Fort St. George Gazette*; whether a copy of the orders of the Commissioner approving the books recommended will be placed on the table?

A.—(*a*) S.S.L.C. Examination—Yes;
Technical examination—No; but the Board of Examiners is consulted when necessary.

(*b*) Committees with advisory functions are appointed to advise the S.S.L.C. Board and the Director of Public Instruction on books to be prescribed in English and other languages. The Committee in English is constituted by the S.S.L.C. Board from among its members. Committees in other languages are appointed by the Director of Public Instruction.

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(*c*) A copy* of the instructions issued to the members of the advisory committees for text books for the S.S.L.C. Examination is placed on the table.

(*d*) The Director of Public Instruction—Copies* of G.Os. No. 1484, Education, dated the 11th December 1920 and No. 546, Education, dated the 11th April 1923, are placed on the table.

(*e*) The recommendations of the committees are confidential until they are published. The names of books approved are published in the *Fort St. George Gazette*, while books containing selections are published annually by the Madras and Andhra Universities. Some of the selections were approved on the 24th October and the 8th November 1932; others are yet to be approved. Apart from the Gazette notification no special order is issued by the Director.

Mr. BASHEER AHMED SAYEED:—" May I ask whether the selections referred to in answer to clause (*c*) have since been published and whether copies have been ordered to be printed and published by those publishers whose books have been approved? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice."

Mr. BASHEER AHMED SAYEED:—" May I know, Sir, whether it is the case that, although recommendations with regard to these text-books were made as early as October and November, still intimation has not been communicated to the publishers to make ready the books so that they may be available to the students who have to appear for the examinations? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I have no information. I want notice."

11-15 a.m. Mr. BASHEER AHMED SAYEED:—" May I ask whether he will call for information with regard to cases in which recommendations have been made months ago and yet the printers or publishers have not been communicated with with a view to make their books ready? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Yes, Sir."

Mr. ABDUL HAMEED KHAN:—" May I know if the hon. Minister is aware how many meetings are held in the course of a year? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I have no information."

Mr. ABDUL HAMEED KHAN:—" Will the hon. Minister find out if it is not a fact whether at these meetings which are held once or twice a year, the actual selection is not made and is not finished and the matter is left over for the decision of the President of the Board as the only authority for selection? "

* Printed as Appendix V on pages 118–128 infra.

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The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I have no information."

Mr. ABDUL HAMEED KHAN:—"Will he kindly make enquiries?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I shall enquire."

Publication of the Tamil Text-Books approved by the Advisory Committee.

* 447 *Q.*—Mr. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) when the recommendations of the Advisory Committee for recommending text-books in Tamil for the S.S.L.C. Public Examination, 1933, and the T.S.L.C. Examination, 1934, were received in the office of the Commissioner for Government Examinations;

(*b*) whether the recommendations of the committee were approved by the Commissioner for Government Examinations before they were notified in the *Fort St. George Gazette* and, if so, whether a copy of his order will be placed on the table of the House;

(*c*) whether all the books recommended by the Committee have been notified and, if so, on what date or dates were they notified;

(*d*) whether it is a fact that some of the books recommended by the Committee have not yet been notified and, if so, why;

(*e*) whether any book or books recommended by the Committee have been replaced by other books and, if so, on whose recommendation and under what authority; and

(*f*) whether the Commissioner approved of the substitution of other books and, if so, whether a copy of his order will be laid on the table of the House?

A.—(*a*) S.S.L.C. Public Examination—On 2nd October 1931.

T.S.L.C. Examination—Some on 2nd October 1931 and others on 10th May 1932.

(*b*) Yes; no special order apart from the Gazette Notification was issued.

(*c*) Yes.

Books for the S.S.L.C. Public Examination—On 3rd May 1932, 17th May 1932 and 14th June 1932.

Books for the T.S.L.C. Examination—On 28th June 1932 and 27th September 1932.

(*d*) No.

(*e*) & (*f*) Two of the books originally recommended by the Committee for the T.S.L.C. Examination of the higher elementary grade were not approved. Books subsequently recommended by the Committee were approved by the Commissioner. No special order apart from the Gazette Notification, was issued by the Commissioner.

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Mr. BASHEER AHMED SAYEED:—" May I know whether it is a fact that although the Committee have recommended two English text-books six months ago in August still one of the books has not been approved of and no orders have been issued to the publisher to make the books available for the examinations to be held in 1933? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice."

Mr. BASHEER AHMED SAYEED:—" May I ask whether the hon. Minister will call for an explanation from those concerned as to why the intimation has not been given to the publishers to make the books available? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I shall call for information."

Mr. V. M. RAMASWAMI MUDALIYAR:—" The answer to clause (*c*) is that two books were approved by the Committee. May I know why the rest were not approved and the reason given by the Board or the Committee? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" They are approved or disapproved by the Commissioner, that is, the Director of Public Instruction. Government has nothing to do with it."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask why the Commissioner has disapproved of these recommendations of the Committee? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The reasons, I believe, are confidential."

Mr. ABDUL HAMEED KHAN:—" The answer to (*c*) is that two books were not approved. May I know by whom and why they were not approved? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" By the Commissioner."

The hon. the PRESIDENT:—" The question has already been answered."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Has the Commissioner reported the reasons for the disapproval? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" As far as I recollect, he has not."

Mr. BASHEER AHMED SAYEED:—" May I know whether the selection for the T.S.L.C. examination has not yet been made? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I am not aware."

Mr. BASHEER AHMED SAYEED:—" May I know whether those teachers have already been paid even before the two books were published? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" No information."

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Mr. BASHEER AHMED SAYEED:—" May I ask whether the hon. Minister will call for the information and take the necessary action? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Yes."

Mr. ABDUL HAMEED KHAN:—" Will the hon. the Minister make enquiries and see if it is not a fact that the actual approval and selection is done more by the Secretary than by the Director? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" When the Commissioner says that he makes the selection, I do not see how the question arises."

Mr. ABDUL HAMEED KHAN:—" In view of the various complaints and agitation going on all these years, will the hon. the Minister go deeper and find out who is responsible for this state of things? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I have no reason to distrust what the Commissioner has said."

Chairmen of the Advisory Committees for recommending text-books in Indian languages for the S.S.L.C. Public Examination.

* 448 *Q.*—Mr. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) the names of the Chairmen of the Advisory Committees for recommending text-books in Indian languages for the S.S.L.C. Public Examination during each of the years 1922 to 1932; and

(*b*) whether it is a fact that the Chairman of the Telugu Committee has been continued without any change for a long number of years and, if so, what the special reasons are for doing so?

A.—(*a*) A statement[a] showing the names of the chairmen is placed on the table.

(*b*) The present Chairman of the Telugu Committee was appointed in 1930. He has continued to hold the appointment as he is the most competent person available.

Shortage of copies of the detailed text-book in Tamil prescribed for the Higher Elementary grade of the T.S.L.C. Examination, 1933.

* 449 *Q.*—Mr. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether the stock of detailed text-book in Tamil for the Higher Elementary grade of the T.S.L.C. Examination, 1933, published by the Secretary to the Commissioner for Government Examinations at the Government Press ran out early this year;

(*b*) whether it is a fact that instead of making arrangements speedily for publishing the additional number of copies of the book required, the Secretary delayed the matter and has finally prescribed another book published by a private company; and

[a] Printed as Appendix VI on page 129 infra.

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(*c*) whether a copy of the order of the Commissioner for Government Examinations authorizing the Secretary to prescribe this book for those candidates who did not possess the book published by the department will be placed on the table of the House?

A.—(*a*) Yes.

(*b*) & (*c*) The book referred to was not prescribed by the Secretary, but by the Commissioner.

Qualifications and service of the Members of the Staff employed in the Government Hobart Secondary and Training School, Madras.

* 450 *Q.*—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) the total strength of the teaching and other staff employed in the Government Hobart Secondary and Training School, Madras, and to what community each one of them belongs;

(*b*) the qualifications of each one of these teachers and other staff and the service each one of them has put in and the class she is in charge of respectively;

(*c*) whether it is a fact that the Hindu and Christian teachers do not know how to read, write or talk Urdu;

(*d*) if so, why these teachers were appointed to a Muslim School;

(*e*) whether it is a fact that ever since the new Superintendent was appointed non-Muslim teachers of less experience and less qualifications have been placed in charge of higher classes whereas Muslim teachers of longer experience and better qualifications have been put in charge of lower classes; and

(*f*) if so, what the reasons are for such transfers and changes and at whose instance is the same done?

A.—(*a*) & (*b*) A statement [a] is placed on the table.

(*c*) No; some of the teachers can read, write and speak Urdu.

(*d*) Hindu and Christian teachers not knowing Urdu are posted to this school because qualified Muslim teachers are not available and because Hindu and Christian teachers knowing Urdu are not sufficient to staff all Muslim institutions.

(*e*) No.

(*f*) Does not arise.

Mr. BASHEER AHMED SAYEED:—"May I ask, Sir, whether it is the policy of the Government to have only Muslim teachers whenever they are available in the Hobart Training School for Muslim schools?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"There is no such policy definitely laid down anywhere, but I think it is desirable to have Muslim teachers whenever they are available."

Mr. ABDUL HAMEED KHAN:—"Is it the policy of the Government to restrict appointment to these various posts in the Hobart Training School to the people belonging to this Province alone?"

[a] Printed as Appendix VII on page 130 infra.

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The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"There is no such policy as far as I am aware."

Mr. ABDUL HAMEED KHAN:—"If so, will the Government be pleased to consider the advisability of calling for applications from competent lady teachers from outside this Province so that they can replace the teachers who do not know Urdu?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I shall examine that suggestion."

B. POCKER SAHIB Bahadur:—"In view of the answer to clause (*d*) that Hindu and Christian teachers not knowing Urdu are posted to this school, because qualified Muslim teachers are not available, may I ask, Sir, whether the Government is not aware that there is a Muslim lady L.T. who is already employed in the said institution and whether the Government has considered the advisability of appointing her superintendent of the institution?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"She is, I think, a very junior officer and I do not think it will be possible to appoint her for the post."

Mr. BASHEER AHMED SAYEED:—"May I know whether the hon. Minister will consider the desirability of appointing a competent lady from outside this Province as the superintendent of this school?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I shall examine that suggestion."

Mr. ABDUL HAMEED KHAN:—"May I know whether the hon. Minister is aware that the Department of Education has already received an application from a Muslim lady from Aligarh, a lady who is highly qualified and who has a record from America?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The application has not yet been sent to me."

Mr. ABDUL HAMEED KHAN:—"Will the hon. the Minister be pleased to make enquiries?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Yes."

Collection of an extra fee from boarders of the Ice House Hostel who are not holders of widow-scholarships.

* 451 *Q.*—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether boarders of the Ice House Hostel attached to the Lady Willingdon Training College, Triplicane, who were not widow-scholarship-holders, were, prior to August 1931, required to pay an extra boarding fee of Rs. 2 per mensem; and if so, when the rule was made and for what purpose the extra fee was intended; whether a copy of the rule will be laid on the Council table;

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(*b*) whether it is a fact that the former Superintendent of the hostel, Sister Subbulakshmi Ammal, collected this extra fee for a number of years but did not utilize it for the object for which it was intended; if so, what was the total amount collected and during what period;

(*c*) whether about August 1931 the new Superintendent of the hostel and the acting Principal of the college discovered that while the extra fee had been regularly collected it was not spent for the object for which it was intended or for any of the purposes of the hostel;

(*d*) whether the acting Principal immediately stopped the levy of this extra fee and called upon Sister Subbulakshmi Ammal to make good the amount or furnish particulars for the amounts collected; if so, under whose orders was this done;

(*e*) whether Sister Subbulakshmi Ammal has since made good the amount or furnished particulars for the same, and if so, when she did so;

(*f*) whether the matter was reported to the Director of Public Instruction immediately it was detected or afterwards, and if so, when; and

(*g*) whether any inquiry was instituted, and if so, with what result?

A.—(*a*) Yes. The fee was for the purpose of paying for additional cooks. No rule was framed.

(*b*) Yes; the total amount collected during the period between 1922–23 and 1930–31 was Rs. 1,250.

(*c*) Yes.

(*d*) Yes; of her own accord.

(*e*) Yes; on 11th January 1932.

(*f*) The matter was not reported to the Director of Public Instruction.

(*g*) An enquiry was instituted by the Principal. The matter is being investigated further by the Director.

Mr. BASHEER AHMED SAYEED:—" What action has been taken by the Government in regard to these irregularities by the person concerned? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" We have asked for a full investigation and report."

Mr. BASHEER AHMED SAYEED:—" Is it not a case where instead of Rs. 1,250, as further investigation has revealed, about Rs. 2,500 has been collected and only Rs. 1,250 has been accounted for? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" No such report has been received."

Mr. V. M. RAMASWAMI MUDALIYAR:—" With reference to clause (*e*), was the amount recovered or particulars given? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The amount has been recovered."

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Mr. BASHEER AHMED SAYEED:—" May I know whether any audit has been done, and, if so, what the kind of audit is? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The Director of Public Instruction reported to the Government that he was arranging for an audit and whether it was completed or not is not known."

Mr. BASHEER AHMED SAYEED:—" May I know whether the Government will not see the desirability of sending an independent auditor instead of appointing a clerk from the Director's office? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" If the result is not satisfactory, I shall consider the suggestion."

Mr. BASHEER AHMED SAYEED:—" Is it the case that there were two audits and the result has not been satisfactory? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I am not aware."

Leave-vacancy of lecturership in Natural Science, Queen Mary's College, Madras.

* 452 *Q.*—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether Miss Kousalya, lecturer in Natural Science in Queen Mary's College has gone on leave; if so, from what date and for what period and for what purpose;

(*b*) when was the leave sanctioned, when did she apply for leave and when did she notify to the Director of her intention to proceed on leave;

(*c*) whether the vacancy so caused has been filled up, and if so, when;

(*d*) what the reasons are for the delay, who is responsible for the same and why were no arrangements made for the teaching of Natural Science in the said college;

(*e*) whether there are no teachers qualified in Natural Science already employed in other Government institutions for women or available outside Government service;

(*f*) if the answer to clause (*e*) is in the affirmative, why were steps not taken to enlist their services for the post;

(*g*) whether any candidate was deputed for higher studies in England in Natural Science by the Government at Government expense and whether she has since returned after completion of her studies successfully and is available to be appointed to the vacancy; and

(*h*) if so, why were the students allowed to go without instruction for all these three months in Natural Science?

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A.—(*a*) Yes; from 30th June 1932 for a period of 18 months for reasons of health.

(*b*) Leave was sanctioned on 21st March 1932; the application for leave was dated 3rd February 1932. That application was the first intimation of her intention to go on leave.

(*c*) Yes; with effect from 8th November 1932.

(*d*) The vacancy had to be advertised and pending other arrangements, it was filled up temporarily from 13th October 1932.

(*e*) Yes.

(*f*) Steps were taken.

(*g*) Yes.

(*h*) The delay in making arrangements for filling up the vacancy was due to the fact that the vacancy had to be advertised and the Commission consulted.

Fisheries

Entrustment of the duties of the Fisheries Department in the Nellore district to the Revenue or Public Works Departments.

* 453 *Q.*—Khan Bahadur YAHYA ALI SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) what the annual expenditure is on the Fisheries department in Nellore district;

(*b*) whether any retrenchment has been effected in the district under this head; and

(*c*) whether the Government have considered the desirability of abolishing the said establishment in the district entrusting the work to the Revenue or the Public Works Departments?

A.—(*a*) The average expenditure for the quinquennium ending with 1931–1932 incurred by the Fisheries Department in the Nellore district is Rs. 12,331-8-8. This amount includes expenditure on two fish farms which serve other districts besides Nellore.

(*b*) Yes. Expenditure in 1931–1932 was only Rs. 10,822.

(*c*) No.

Closure of fish-curing yards for default of reimbursement of losses incurred in running them.

* 454 *Q.*—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether it is a fact that curers in some fish-curing yards have been informed that unless losses incurred in running the yards are made good and the amounts are deposited, the yards would be closed;

(*b*) which of the yards are proposed to be closed;

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(*c*) whether in arriving at decisions to close down some fish-curing yards, the Government have taken into account the fact that for the past some years the fishing season has been invariably bad;

(*d*) whether it is a fact that cess has been collected from curers towards the cost of construction of yards and in some cases the cost of construction of quarters for the staff, and if so, what these amounts are;

(*e*) how the Government propose to compensate the curers of the yards closed for the amounts already paid by them;

(*f*) whether the Collectors of the districts are consulted before the yards are closed; and

(*g*) whether the Government have been informed that the closure of these yards would affect seriously the fishing industry in the locality and that distress would be the result?

A.—(*a*) The arrangement referred to was imposed as a condition of reopening some yards which have already been closed.

(*b*) There is no proposal at present to close any yard.

(*c*) Yes. The Government were aware that the fishing season was bad.

(*d*) Yes. Cess is collected towards the total expenditure incurred in connexion with the construction of yards and quarters for the staff. The total amount collected from 1st April 1924 to 1st September 1932 is Rs. 5,687-8-5.

(*e*) The closure of the yards is only temporary and the question of paying compensation does not arise now.

(*f*) No.

(*g*) The question whether the closure of any yard would affect the fish-curing industry and result in distress was considered before closing the yards. Only those yards whose operations were very low owing to poor catches or other reasons and the closure of which was least likely to affect the curers and fishermen were closed temporarily.

Personnel of the teaching staff of the Fisheries schools in Malabar and South Kanara.

* 455 *Q*.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) the number of teachers employed in the Fisheries schools in Malabar and South Kanara and the names of the communities to which they belong;

(*b*) the number of persons trained at the Fisheries Training Institute of Calicut among these teachers; and

(*c*) the number of teachers trained at the Fisheries Training Institute who are now seeking employment in the Fisheries schools and the number of the fisher community men among these teachers?

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A.—(*a*) 139. The communities to which the teachers belong are as follow:—

Hindu	Brahman	1
,,	Vaisya	2
,,	Nayar	6
,,	Ezhuthassan	1
,,	Chaliyan	2
,,	Vannan	1
,,	Goldsmith	1
,,	Thiyya	16
,,	Fishermen	77
Muhammadans	... ...	12
Christians	... ...	20
		139

(*b*) 98. Ten more have now been deputed for training.

(*c*) 14. All of them belong to fisher community. Of these, three are now acting in short leave vacancies.

Mr. A. B. SHETTY:—" May I know whether any ordinary trained teachers were confirmed in service when teachers belonging to the fisher community who were trained in the Fisheries Institute were available for such service and were actually seeking employment in these schools? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice."

Mr. A. B. SHETTY:—" May I know whether it is the policy of the Government to give preference to the teachers of the fisher community trained in the Fisheries Training Institute in the appointments to be made in the fisheries schools? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" No such policy has been definitely laid down, but I think it is only reasonable that these people should be given preference."

Memorial from the unemployed teachers trained at the Fisheries Training Institute.

* 456. *Q.*—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether the memorial presented to the Government by the unemployed teachers trained at the Fisheries Training Institute will be placed on the table of the House; and

(*b*) whether any action has been taken in regard to this memorial?

A.—(*a*) Copies [a] of the memorials are placed on the table of the House.

(*b*) The memorialists were informed by the Director of Fisheries that there are no vacancies of teacher's posts to which they could be appointed at present.

[a] Printed as Appendix VIII on pages 131–133 infra.

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Mr. A. B. SHETTY:—" May I know, Sir, whether the teachers trained in the Fisheries Institute are eligible for service in other schools? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I think so, Sir, but I would examine the question if my Friend would give the notice."

Mr. A. B. SHETTY:—" May I know how many teachers are now under training in the Fisheries Institute? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I cannot say off-hand."

Mr. A. B. SHETTY:—" May I know how Government propose employing these people who are now without employment? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" As vacancies arise, these people will be employed."

Mr. A. B. SHETTY:—" What is the use of continuing the Institute if they cannot employ men trained in the Institute? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The question has been examined and the Government have come to the conclusion that it would be useful to continue the school."

Industries

Statistics showing the export from, and import into, the presidency of rice.

* 457 *Q.*—Mr. K. S. SIVASUBRAHMANYA AYYAR: Will the hon. the Minister for Education and Excise be pleased to lay on the table of the House, monthly statistics of the imports of foreign rice into this Presidency and of the export of rice to other countries from this Presidency, with their then prevailing market prices, for the year 1931–32?

A.—Two statements [a] furnishing the required information as accurately as possible are appended. The figures of value represent total values, from which the price per ton may be deduced.

Mr. M. A. MANIKKAVELU NAYAKAR:—" Is any suitable action proposed to be taken to restrict the import of foreign rice? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask, Sir, whether any investigations are made why there is import of foreign rice? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether investigation will be started at least to find out why there should be importation of foreign rice? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not know if any investigation is necessary. I can answer the question if he will give notice."

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[a] Printed as Appendix IX on pages 133–134 infra.

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Mr. M. A. MANIKKAVELU NAYAKAR:—"May I know whether the Government was addressed by the ryots of Tanjore to get Railway concession for exporting rice?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I am not aware."

Mr. BASHEER AHMED SAYEED:—"May I know if the hon. Minister will be pleased to call for proposals from the Director of Industries as to how best to stop the import of foreign rice in this Presidency and place them on the table of the House?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I shall consider the proposal."

Mr. YAKUB HASAN:—"From what country is rice imported into India?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I believe, mostly from Burma."

UNSTARRED QUESTIONS

Administration of Justice

Construction of permanent buildings for the civil courts at Devakottai.

458 *Q.*—Diwan Bahadur A. M. M. MURUGAPPA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(*a*) whether the civil courts at Devakottai are located in a rented building ever since their location at Devakottai;

(*b*) whether it is a fact that the rented buildings have been found unsuitable for the location of the courts and inconvenient for the litigant public;

(*c*) whether it is a fact that the Government have acquired sites for the construction of permanent buildings for the civil courts;

(*d*) whether it is a fact that the plans and estimates for the civil court buildings were prepared and sanctioned and the construction kept in suspense on account of the financial depression;

(*e*) whether the Government have any proposal before them to start the construction of the buildings at an early date; and

(*f*) whether it is a fact that the Government are having a net saving of more than a lakh of rupees per year from the income of the Devakottai civil courts?

A.—(*a*) Yes.

(*b*) Until recently the law courts at Devakottai (Sub-Court and District Munsifs' Courts) were located in two buildings situated on the northern extremity of the town. These buildings were found to be unsuitable for the location of the courts which have since been ordered to be moved into a suitable building.

(*c*) In 1912 a site was acquired in Devakottai for the construction of District Munsifs' and Sub-Judges' Courts among

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others but it was subsequently abandoned. A new site measuring 52·25 acres for building public offices was selected in 1924 but only 31·01 acres were acquired for the construction of office and residence for the Revenue Divisional Officer, Devakottai.

(*d*) No.

(*e*) None at present.

(*f*) The Government have no information.

Local Self-Government

Distribution of the allotment under "Village communications and village water-supply" for the years 1931–32 *and* 1932–33.

459 *Q.*—Rao Bahadur T. A. RAMALINGAM CHETTIYAR: Will the hon. the Minister for Local Self-Government be pleased to state how the allotment for village communications and for village water-supply was distributed in the years 1931–32, 1932–33 up to date by the Inspector of Local Boards with reference to—

(i) the number of applications received districtwar;

(ii) the number and value of estimates called for districtwar; and

(iii) the amount sanctioned districtwar?

A.—Two statements [a] giving the information as far as available are attached. Information regarding the total number of applications received districtwar and the number of estimates called for is not available.

Medical Administration

Proposal to transfer the Siddha section of the Indian School of Medicine to the Annamalai University.

460 *Q.*—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Local Self-Government be pleased to state whether there is any proposal before the Government to transfer the Siddha section of the Indian School of Medicine to the Annamalai University?

A.—No.

Education

Compilation of the Tamil lexicon.

461 *Q.*—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Education and Excise be pleased to state what the progress in the compilation of the Tamil lexicon is; when it will be finished; and what the expenditure incurred up to date is?

A.—The hon. Member is referred to the progress reports printed in G.O. No. 991, Education, dated the 18th July 1932, which has been placed at the disposal of the press; the Government have no information as to when the work will be finished, the University being in charge of it. The expenditure incurred up to the end of 1931–32 was about Rs. 3·14 lakhs.

[a] Printed as Appendix X on pages 134–135 infra.

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SHORT NOTICE QUESTION.

Mr. Kesavan Nayar's hunger-strike in jail.

Mr. V. P. NARAYANAN NAMBIYAR:—" Will the hon. the Law Member be pleased to make a statement as to the circumstances in which Mr. Kesavan Nayar went on hunger-strike and the present state of his health and state—

" (*a*) whether changes for the worse in diet, lathi charges on least provocation, imposition of bar fetters, wanton affront to individual susceptibilities in the matter of growing beards, etc., have brought about an atmosphere pre-eminently provocative of ill-feeling and disharmony between those in authority and the prisoners;

" (*b*) whether all this has happened after the advent of a new Superintendent and a new Jailer;

" (*c*) whether it is a fact that Mr. Kesavan Nayar's state of health is critical at present;

" (*d*) whether the hon. the Law Member is aware that distinguished non-official Visitors appointed by the Government are being treated with contempt by the local Superintendent and the Jailer; and

" (*e*) whether it is not a fact that Mr. Kelappan who sought an opportunity for an interview with Mr. Kesavan Nayar with the express object of making a final attempt to dissuade Mr. Kesavan Nayar from fast was refused the opportunity by the District Magistrate and the Jail Superintendent? "

11-30 a.m. * The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I shall gladly answer, Sir, the several questions put by my hon. Friend. In fact, I am glad that I have had an opportunity of making a statement on the subject. For, there is a great deal of misapprehension with regard to these matters, caused by press correspondents who are ill-informed as to what actually takes place in the jail. Now, I shall answer the different questions put by my hon. Friend in one general statement.

" C class prisoners, of whom Kesavan Nayar referred to in the question is one, are entitled to certain privileges and only to those privileges. All those privileges are being allowed to them even now. But, they want what they consider are their additional privileges. But these additional privileges which they claim as a matter of right they are not entitled to. For instance, they want oil, soaps of different kinds, Hindi books, and they want extra and special articles of food to which they are not entitled under the jail rules; they want writing materials; they want to be allowed to write as many letters as they desire, and also according to them, they should be allowed to have as many interviews with persons outside as and when they require. Then, again, according to the jail rules, after the evening meal they have to be locked up in cells. These C class civil disobedience prisoners want to roam about the different blocks in the jail, and they want to take constitutional walks from about 6 to 7-30 in the evening. This of course is not permissible under the rules. Again, without any restriction, they want to be permitted to see their friends at any time in other blocks, and when they are not allowed to do these things, they climb the palisade. When the warders try to prevent them

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from doing so, these civil disobedience prisoners assault them, tear their clothes, and, what is worse, even bite them. When these things take place, naturally the warders want to enforce discipline, and they do so, not as suggested in one of the questions put by my hon. Friend, by using batons but by using light canes. With the special consent and under the special instructions of the Inspector-General of Prisons, the warders are using light canes. On the top of all these, when the Superintendent admonishes them, and when he tells them that he will enforce discipline, they insult him and they shout and give utterance to all kinds of revolutionary slogans, such as 'Baghat Singh zindabad,' 'long live revolution,' 'down with the British flag,' 'down with the British Government,' 'down with the Superintendent.' When these things are uttered by them, naturally the Superintendent deprives them of some of their privileges, and gives them punishment. When he gives them punishment, these prisoners say 'we do not care for the punishment which you inflict, we shall continue to behave in the way we like.' This Kesavan Nayar, who is himself a C class prisoner, has gone on hunger-strike for this reason, namely, that the C class prisoners are not allowed to have their own way.

"One other question that has been put by my hon. Friend is whether all this trouble, all this turmoil in the jail has not taken place after the advent of the present Superintendent. No doubt, it is only recently that all this trouble is taking place when attempts are being made to enforce discipline. The Inspector-General of Prisons is making an enquiry as to who is to blame for the laxity of discipline till now. I may at once say, in fairness to the jail officials, that till this enquiry is completed, it is not possible to attribute the blame to any particular individual, and that the Government will not be in a position to state who is responsible for the laxity of discipline that prevailed in the jail till recently.

"Another question put by my hon. Friend is, 'what is the state of Kesavan Nayar's health.' From the latest report that the Government have on this point, I can give this assurance to my hon. Friend, namely, that the state of Kesavan Nayar's health is fairly satisfactory. He is being fed forcibly with very nourishing food, and he does not resist this forcible feeding.

"Then, another question put by my hon. Friend is this: 'whether Mr. Kelappan, when he wanted to visit this jail with a view to inducing Kesavan Nayar to give up his hunger-strike, was prevented from interviewing him by the Jail Superintendent and the District Magistrate.' I had a telegram from Mr. Kelappan some two days ago, stating that he wanted to visit Kesavan Nayar. In fact he had seen me personally, and I advised him to go and see the District Magistrate as well as the Jail Superintendent. In his telegram which I received the day before yesterday, he says that both the District Magistrate and the Superintendent of the jail refuse to permit him to interview Kesavan Nayar, and he asks me to intervene and send an order allowing him to interview Kesavan Nayar. Sitting here so far away from Cannanore, obviously I am not in a position to know the circumstances in which the District Magistrate and the

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Jail Superintendent refuse him permission. I have, however, sent telegrams to both the District Magistrate and the Superintendent of the jail, telling them that, if the District Magistrate, in consultation with the Prison Superintendent, finds that it is likely that Mr. Kelappan's interview with Kesavan Nayar will bring about a stoppage of the hunger-strike, the permission may be granted. I have also telegraphed to Mr. Kelappan to interview the District Magistrate again. There the matter stands. I believe that I have answered all the questions put by my hon. Friend, except one, namely, 'whether the hon. the Law Member is aware that the distinguished non-official visitors appointed by the Government are being treated with contempt by the Jail Superintendent and the Jailer.' I have no accurate information on this point. But it is very unlikely that non-official visitors to the jail will be treated with contempt by the Jail Superintendent. In any case, I shall call for a report on that point."

* Mr. YAKUB HASAN:—"May I know the particular demands on the refusal of which Kesavan Nayar has gone on hunger-strike?"

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"For the refusal of all those things that I have already mentioned, the so-called privileges that they want."

* Mr. V. P. NARAYANAN NAMBIYAR:—"Sir, the hon. the Law Member said that he was not in a position to give any information as to non-official visitors being treated with contempt by the Jail Superintendent. I do not want to divulge the name of the distinguished non-official visitor, but I have with me now the letter from a non-official visitor. For the information of the hon. the Law Member, I may be permitted to read portions of it:

'I am unable under the present jail conventions to make any detailed statement. Wherever I had difference of opinion regarding the recent incidents, I had written to the authorities concerned through the channels open to me as a non-official visitor.

'Yet, as a public man, I can say this much, that there is unfortunately of late, lack of appreciation of non-official and independent opinion at the official hands. The local Superintendent and Jailer have openly expressed a contempt for non-official interference, particularly in my case, since when I have stopped visiting the jail. I fear that as things stand at present the prisoners' side and their case do not reach the higher authorities, while the chief jail officials' convenient versions always prevail. The relationship between the authorities and the prisoners is such that something must be done immediately. In the interest of the Government, too, I am of opinion that an enquiry should be held. It strikes me as a case of the authorities supporting the man on the spot too far although to some extent it is naturally expected.'

"I am prepared to hand over this letter to the hon. the Law Member to make further enquiries in the matter.

"The statement that the hon. the Law Member has just now made indicates that there is a possibility of Mr. Kelappan going to the jail and seeing Mr. Kesavan Nayar. I have had a letter from Mr. Kelappan to say that he would write to me the exact state of affairs in jail. Therefore I do not propose to move the adjournment motion to-day."

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* Mr. ABDUL HAMEED KHAN:—" May I know who the present Superintendent is? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I believe it is Captain Hitchin."

Mr. ABDUL HAMEED KHAN:—" When did he go there? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" As far as I can remember, some two months ago."

* Mr. ABDUL HAMEED KHAN:—" How long has this trouble been there? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" More or less, during the last two or three months."

* Mr. ABDUL HAMEED KHAN:—" May I know, Sir, what privileges these C class prisoners are given in the jail? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" In fact, all those privileges which they are entitled to under the Jail Manual."

* Mr. ABDUL HAMEED KHAN:—" May I know what those privileges are? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I cannot carry all of them in my head."

* Mr. YAKUB HASAN:—" May I know whether the present Jailer is responsible for similar treatment meted out to Mr. Narayana Menon? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I do not admit the accuracy of my hon. Friend's premises."

* Mr. ABDUL HAMEED KHAN:—" May I know why the Government has not supplied them with books and newspapers? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Because it is prohibited under the rules."

* Mr. YAKUB HASAN:—" My question was not answered, as to whether the same Jailer was responsible for similar treatment meted out to Mr. Narayana Menon? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I am afraid that my answer was as clear as possible, namely, that I do not admit the accuracy of the premises of my hon. Friend's question. I shall expand that answer if necessary."

* Mr. ABDUL HAMEED KHAN:—" The hon. the Law Member in making a statement answering the question stated that in fact indiscipline was prevalent in the jail. Will he substantiate that statement by giving us information as to how many such persons have created indiscipline and what the various acts of indiscipline that they committed were? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The whole thing is being enquired into by the Inspector-General of Prisons."

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* Mr. BASHEER AHMED SAYEED:—" May I ask whether the hon. the Law Member proposes to take action on the definite information given to him on the floor of this House just now, with regard to the ill-treatment accorded to jail visitors appointed by the Government? "

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" With reference to the so-called ill-treatment meted out to non-official visitors, I am not in a position to give information. As I said in answer to my hon. Friend, Mr. Narayanan Nambiyar, I shall make enquiries, and what action I will take thereafter will depend on the report I get."

II.—SWEARING IN OF A MEMBER.

Mr. P. V. KRISHNAYYA CHOUDARI made the prescribed oath or affirmation of allegiance to the Crown and took his seat.

III.—ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

* The hon. the PRESIDENT:—" I have to announce that the undermentioned Acts received the assent of His Excellency the Governor on the dates mentioned against each:—

(1) The Kapileswarapuram Impartible Estates Act	9th December 1932.
(2) The Anakapalle and other Impartible Estates Act	9th December 1932."

NON-OFFICIAL BUSINESS.

IV.—A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920 (BILL No. 26 OF 1932).

11-45 a.m. * Mr. A. RANGANATHA MUDALIYAR:—" I beg to present the Report [a] of the Select Committee on the Bill to amend the Madras District Municipalities Act, 1920 (Bill No. 26 of 1932), and move that the Bill, as amended by the Select Committee, be taken into consideration."

Diwan Bahadur B. MUNISWAMI NAYUDU:—" I second it."

* Mr. M. D. T. RANGANATHA MUDALIYAR:—" Sir, I move—

' that the Bill as recommended by the Select Committee be circulated to all municipal councils in this Presidency and their opinion elicited before taking the Bill into consideration.'

" My main object in moving a motion of this nature is to give an opportunity to the municipalities to see whether they can afford to entertain highly paid executive officers. If each municipality is made to have an executive officer for its administration, it will mean for each such municipality an annual expenditure of a decent sum of Rs. 12,000 or Rs. 13,000. With this sum in its hands a municipality can keep its roads in better condition and do so many other useful things. It is with a view to get the opinion of the various municipalities on this aspect of the matter especially that I move this motion for circulating the Bill to them before it is taken up for consideration in this Council."

[a] Printed as Appendix XI on pages 135–149 infra.

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* Mr. V. M. RAMASWAMI MUDALIYAR:—" In seconding this motion for circulating the Bill together with the report of the Select Committee to the various municipalities in this Presidency, I desire to inform the House that the reason which prompted me to second this motion is that it is necessary to ascertain with certainty the financial condition of the various municipalities as it would be affected by a Bill of this kind. I may mention the case of a municipality situated in the North Arcot district. In the Vellore Municipality there is at present revision of the house-taxes going on and there is no knowing what it would result in. Generally, all municipalities and local boards have been seriously affected in finance by the introduction of the Motor Vehicles Taxation Act. As a matter of fact, they do not know where they stand in reference to this important source of revenue. For these reasons, the Vellore Municipality has unanimously passed a resolution, a week or ten days ago, urging upon us not to rush through a Bill of this nature, stating that, as far as they are concerned, they are prepared to examine the implications of this Bill minutely. Copies of this resolution have been received by some of us, Members of this Council.

" I find notice of another motion for circulation of the Bill. The object of that motion seems to be to widen the scope of municipalities for which executive officers should be appointed by reducing the financial qualifications. All these are various considerations why this Bill should be again referred to the various municipalities for further consideration and for ascertaining their opinion."

* The hon. the PRESIDENT:—" Both the original motion and the amendment are for the consideration of the House."

* Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" Mr. President, I rise to support the amendment. In doing so, I wish to draw the attention of hon. Members to the fact that it is an ordinary elementary principle that nothing should be done against anybody before he is heard. I need not dilate on this point in an assembly of distinguished lawyers. I suppose, in a measure of this kind where a large number of local bodies are involved, it is but right that they should be heard before this Bill is taken into consideration.

" Another reason why I rise to support this amendment is that the figures that are adopted in this Bill are I think inaccurate. If the Bill is referred to the various municipalities concerned, they will be in a position to give us accurate figures regarding their income, etc., and state whether their finances would justify their inclusion in the schedule appended to this Bill.

" The argument against this motion will possibly be that it is futile to expect the municipalities to agree to the appointment of executive officers. My answer to that will be that it is wrong to presume like that. After all, this is a matter which concerns the various municipalities and it must be remembered that we are not asking that this Bill should be referred to the personal opinion of the chairmen. If hon. Members will note the fact that what we are asking for is the collective opinion of the members of the numerous municipalities and not of their chairmen,

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they would vote for this motion. The chairmen will be bound to place the matter before the councillors and the latter would be in a position to give their unprejudiced opinion thereon. I do not think considerations of prestige or power being taken away from them will weigh with them. They will certainly bring to bear upon this question all aspects of the case. In the circumstances it will be unfair to presume that, if this motion is adopted and the Bill is circulated to the municipalities for opinion, the result would be a foregone conclusion that they would not like to have executive officers. I do not think that will be the case. I may assure hon. Members that there are certain councillors who will give their best attention to the Bill, explain matters to their colleagues in the councils and guide even the chairmen to come to right conclusions. With this opinion before them, the Select Committee may be in a position to come to a satisfactory decision, fair to all concerned. With these few words I support the amendment that has been moved."

* Mr. SAMI VENKATACHALAM CHETTI:—" Mr. President, I feel constrained to support the amendment moved by my hon. Friend from North Arcot. My support to this amendment does not mean that I am not in favour of the appointment of executive officers in municipalities. As a matter of fact, I feel that the experience of the administration of local bodies has driven some of us, who are really in favour of further advancing the scope of these self-governing bodies, to entertain the idea of having executive officers appoined to them; and my hon. Friend, Mr. Ranganatha Mudaliyar, when he proposed this Bill, I refuse to believe, had the idea of reducing the municipal councils and their chairmen to non-entities which they would be to-day under the altered Bill which we have now in our hands. The Bill, coming up from the Select Committee, appears in a form which cannot be recognized even by its author. Under the seemingly innocent provisions for enabling the appointment of executive officers, steps have been taken to divest these municipal bodies completely of all the powers now enjoyed by them. That means you are cutting at the very root of the self-governing idea. These self-governing institutions were considered to be training grounds for people to assume greater responsibilities in the affairs of the administration of this country. It must be remembered that these municipalities are the fruits of the life-long work of patriots who are no more with us. These self-governing institutions got the powers that they now enjoy as a result of the strenuous efforts of patriots of the previous generation. Those who shared with the previous generation the labours can bear testimony to the great work that they have done in this matter. If we wipe off all that noble work by agreeing to the appointment of executive officers in our municipalities, it would be a very, very radical step. The analogy of the Madras Corporation does not hold good: in that, in the Madras Corporation, there are, what are called, standing committees which do enjoy wide powers and considerable responsibilities and there is not much dissatisfaction with regard to their administration. Even granting there is some dissatisfaction either in the municipalities or in the City Corporation, it is not by instituting an espionage system that we ought to remove that dissatisfaction. It is

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by tendering advice where it is necessary and by persuasion that we should proceed to bring about a better state of affairs in the municipalities. I am afraid, the Bill as it is presented to-day will not advance the cause of municipalities enjoying self-governing powers. It will practically put the entire administration of municipalities in the hands of officials whose salary at the most will be about Rs. 800.

"There is one other point which is likely to be overlooked in comparing the City Corporation with the municipalities in the mufassal. In the City, however dignified and however respectable the gentleman who occupies the Presidentship of the Corporation may be, he has not the influence or the following which a chairman of a municipality has in that particular area. To put the thing more clearly, I may say, that a chairman of a mufassal municipality has a following in the people of that locality willing to do anything at his bidding. In the City Corporation, however, that is not the case. What will happen is that when you appoint a commissioner and vest him with the powers already vested in the municipality, the chairman of that municipality, when he is in disagreement with the commissioner, for the mere reason that the commissioner is not able to officially exercise his authority over the municipality, will be compelled to use the other influences which he has in abundance, against the commissioner and bring the administration to a deadlock. I have no doubt such a state of affairs will result in the mufassal municipalities. If we are really anxious to see that it is only the administration of the municipalities that should be improved, if it is not our idea that the chairmen should be divested of their powers in the municipal councils, it is desirable that we must think over these matters more carefully and incorporate such provisions as will, while retaining the existing powers in the municipal bodies themselves, prevent the commissioner from riding rough-shod over the feelings of either the councils or their chairmen. As a matter of fact it was not my intention to shelve the discussion of this Bill to-day. That is why I gave notice of certain amendments which would take away the impression that the Bill aims at a complete surrender of powers by the chairmen to the commissioners. I do not think, having regard to the conflicting suggestions made in the lobbies, that it will be possible for me to incorporate those amendments in the Bill. Therefore I think it is better to have this measure postponed in order that we might come to some understanding with regard to tendering advice to and helping the chairmen, etc. It is with that view, I support the amendment of my hon. Friend.

"If in the course of the discussion it is possible to arrive at a settlement by which the chairmen and the municipal councils may not feel that they are reduced to mere non-entities and that they would be guided and assisted by an appointee of the Government, I should certainly be glad to accept the suggestion. Until then I have no other alternative but to support the motion for the postponement of the discussion of this Bill." 12 noon.

*Mr. M. S. Sreshta:—"Sir, this Bill involves an infringement of the principle of local self-government. The system of appointing

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commissioners which is now working well in the Madras City may also work very well in the mufassal; and as an ideal it is very good and desirable. But what I say is we should proceed slowly. It is also desirable that we should not include in the schedule attached to the Bill such a large number of councils as at present. We should like to see whether this experiment works successfully in some of the municipalities in the mufassal and if it is found successful, we could extend it to more municipalities. I know that the feeling is very strong in our district that this Bill should not affect the Mangalore Municipality. Many other councils have received similar mandates. My position is not that the commissioner should not be armed with very large powers. But what I would point out is that we should not launch upon a big experiment. Does it follow that if we appoint commissioners, we shall be able to get rid of all the troubles that we have at present unless we have got a provision in the Bill for the proper exercise of discretion by the commissioner in the discharge of his duties? Until and unless such a provision is introduced there will always be trouble between the commissioner and the chairman. One of the great sources of trouble in municipalities is the appointment of subordinates. There are many complaints that appointments are made to suit the wishes of the appointing authority or the wishes of the party which is in a majority in the municipal councils in the mufassal. I think the only way by which we can get rid of these troubles is by making appointments through the Public Services Commission. Until that is done there will always be trouble. Wherever it is possible, there may be competitive examinations and appointments should be given only to such of the candidates who come out successful in such examinations. If such an examination is not possible, only the application of communal principles or some other general principles, is desirable. Of course it is desirable that a competitive examination is held as in the case of Government service. Until that is done it is all the same whether you have got the chairman or the commissioner as the head of the executive. In any case I think it is desirable that we should proceed slowly and that we should not put a heavy burden on municipalities as we propose to do under this Bill. We should try the experiment in a few municipalities and then extend it to other municipalities, if we find the experiment successful. No doubt many complaints have been made about various municipalities to the effect that their chairmen are not acting judicially. There are chairmen who do their work excellently and there is no reason why such municipalities should be included in the schedule to the present Bill. Therefore I strongly support the amendment, viz., that this Bill be referred to the municipalities so that they may carefully consider the various provisions of the Bill and make their representations. It is only after we have heard what they have to say that we can interfere with them. It is a very bad thing to interfere very rashly with the acts of the local bodies. May I also point out another defect in the Bill? There is a provision in the Bill by which the commissioner may be discontinued on the vote of the municipal council. If that is so, the commissioner will not be independent of the municipal council as it is proposed that he should be. I hope the object of the Bill is that the

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commissioner should be above the municipal council so far as executive work is concerned. I may also point out that the result of the present system is that the Chairman does not attend to all the work of the municipality. Generally most of the executive work is entrusted in the hands of the head clerk. Therefore it is desirable to introduce the system of appointing commissioners. My only suggestion is that we should not be hasty but that we should hear fully the opinions of the various municipal councils concerned and then come to a decision."

* Mr. T. S. RAMASWAMI AYYAR:—" I desire to move an amendment to the amendment proposed and that is this—

' Add the words " within one month " between the words " elicited " and the word " before." '

" I move it for the reason that while I agree with the movers of the amendment that hasty legislation will not be in the interests of the municipalities themselves, I desire the House to see that some move forward is made. If we are merely going to circulate this Bill among various municipalities and await their report, I am not sure whether we will be able to make any headway and have this measure brought before the Legislative Council in the near future. When the Bill is circulated among the various municipalities the chairmen of the various municipal councils will take their own time to convene meetings and send up their representations and probably it may take some months. And it is not often that the Legislative Council will be able to get a non-official day. After the opinion is elicited the Bill will have to go before the Select Committee and then it will have to come again before the Council before it is finally passed. I am therefore anxious that this motion for the postponement of the consideration of the Bill should not be considered as a dilatory motion. The opinions of the chairmen of the various municipalities should be got at an early date and the Select Committee must sit again and the Bill brought before the House as early as possible."

B. POCKER SAHIB Bahadur:—" I second the amendment. I just want to say a word or two. The motion for circulation may be supported both by the supporters as well as by the opponents of the Bill. I want to make it clear that the object of those who support this motion for circulation is not to prolong and postpone the passing of this legislation, but it is only to be fair to the municipalities affected by this legislation. As has been pointed out, it is not at all fair to pass a legislation of this kind without eliciting the opinion of those bodies who are directly affected by this measure. At the same time we ought to remember that by doing so we ought not to postpone this measure for ever. It is with that idea that this amendment has been brought forward and I have great pleasure in supporting it."

Mr. ABDUL HAMEED KHAN:—" I second the amendment and support the motion for circulation. In doing so, I wish to make it clear that those who have got at heart the growth of self-governing institutions in this Presidency regard this measure as a highly retrograde measure. There is no doubt that for some time past there has been a feeling

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in our Province that all is not well in the State of Denmark, and that chairmen of municipal councils and presidents of local boards have not been carrying on their work satisfactorily in more aspects than one. I know that there has been a clamour from people of the districts of this Presidency that a sudden change has been brought about in the working of these local bodies, and it is that that induced my hon. Friend Mr. Ranganatha Mudaliyar to bring forward this measure. There is a very strong feeling in the country that matters should be set right before they go too far and become impossible of rectification. There is no doubt that at present public opinion is growing stronger and stronger and I am sure with the advent of Provincial Autonomy it will be possible for us to make public opinion felt still stronger and stronger. It is public opinion alone that should be a check upon the growing misdemeanour or the wrong activities of presidents or chairmen of these institutions. I regard this measure as a highly retrograde measure. I think it is highly desirable that this measure should be referred to the various municipalities so that it may be possible for us to elicit their opinions and afterwards consider the various pros and cons of this measure. I believe that this measure has been framed on the analogy of the City Municipal Act of 1920. But there is one difference between the City Municipal Act and that which the hon. Member seeks to get passed through this Council, viz., that whereas the City Municipal Act does not confer absolute power in the hands of the Chief Executive Officer, the Commissioner of the Corporation, but distributes it among the groups of members of the Corporation in the shape of standing committees, the commissioner that is going to be appointed in the municipalities by the Government is entrusted with absolute powers and he is to become practically the chief of the Council. I am always opposed to the concentration of powers in the hands of one gentleman, viz., the chairman or the commissioner. Instead of that it would be better if we have it distributed among a larger number of members of the municipalities in the shape of standing committees. That would be one of the checks by which the conduct of the commissioner could be controlled. We know that even in the case of the City Municipal Act, the reform of that Act is long overdue.

12-15 p.m. "I remember in the year 1924 or 1925 a need was felt for a change in the authority who should appoint the Commissioner of the Madras Corporation, because the then Commissioner made it necessary for a large number of members of the Corporation to ask the Government to amend the Act so that the power of appointing the Commissioner might be vested in the Corporation itself and not in the Government. It is true we have had good Commissioners sometimes, but we have had bad ones also at other times and the best thing under the circumstances is to leave the power of appointment of these executive officers with the municipal councils themselves.

"With regard to the appointment of heads of departments in municipalities such as the chief engineer, the health officer and other officers, I agree with Mr. Sreshta that there should be a regular Municipal Service and officers should be appointed from among the members of that

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Service. I should like to prevent the contingency of the Party in Power controlling the appointments of these executive officers and heads of departments. That is a danger which we will have to guard against. We should see that the head of a department in a municipality such as the revenue department or the engineering department is not in any way controlled by the Party in Power in this House. That is a danger, which, as I have already said, we should guard against.

" All these questions have to be considered and provided for in the Bill before it is finally passed by the House. For that reason, I urge that the Bill should be circulated to the various municipalities for eliciting their opinion before we take it into consideration. We should not pass a hasty piece of legislation in this House with the certain contingency that it would come back to us from another place for our reconsideration. Unfortunately, in recent times we have been responsible for more than one piece of hasty legislation some of which are going to be returned to us for our reconsideration. It is better that we do better this time and avoid passing a Bill which would very likely come back to us for reconsideration."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—" Mr. President, Sir, with great respect to the several hon. Members who have supported this motion for circulation, I am sorry I have to oppose it. That executive officers are necessary to take over the duties now discharged by non-official chairmen, was the feeling voiced on the floor of this House on several occasions. The Government were asked on various occasions to introduce a Bill to that effect and Government did introduce a Bill in 1920 to amend the Local Boards and Municipalities Acts. In the present case, the Mover of this motion did not say that executive officers were unnecessary. And the supporters of the motion, although they said that executive officers were necessary, complained that the provisions of the Bill were too wide and drastic and that too much power was vested in the executive officer. That is the line they have taken. They have now moved that the Bill be circulated to the various municipal councils so as to obtain their opinion on it.

" But so far as this House is concerned, if it thinks that the Bill is bad because it concentrates too much power in the hands of executive officers, it is open to it by suitable amendments—I see already a number of amendments given notice of with a view to delete clauses where it is proposed to substitute the words ' executive officer ' for the word ' chairman '—to improve the Bill. If it is suggested, as Mr. Sreshta said, that we should proceed slowly and appoint executive officers for a few municipalities to begin with before we make it a universal rule, I say that that is exactly what the Select Committee has done. It has taken only 26 out of 81 municipalities, that is to say, one-third of the total number. Only those municipalities have been taken which have a total population of 50,000 and more or whose incomes excluding receipts under Elementary Education, Capital Accounts and one or two other things, exceed Rs. 2,00,000 a year. Originally it was proposed that the executive officer should be recruited from the cadre of Deputy Collectors. But the Select Committee have deleted that provision and given the

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Government discretion to appoint any person whom they consider fit. The Government before they make any appointment, will surely consider the financial position of the municipality, the necessity or otherwise for an executive officer and the pay that should be offered to the officer who may be appointed. At any rate, it cannot be said to start with, that municipalities having an income of more than Rs. 2,00,000 from ordinary sources alone, leaving aside certain items such as Elementary Education and Capital Accounts, cannot afford to have an executive officer. The actual resources and the spending power of many municipalities are much greater when you take into account the fact that large sums of money are spent on Elementary Education and Capital Works. So much so, if the ordinary income of a municipality is only Rs. 2,00,000 the total spending power reaches up to Rs. 4,00,000 or Rs. 5,00,000. In such cases, it cannot be contended that a municipality spending as much as 4 to 5 lakhs of rupees a year cannot afford to have an executive officer whose pay does not exceed Rs. 850 a month. At present most of the municipalities are run by incompetent managers who are on low pay. I submit it is bad economy so far as the local bodies are concerned. It is high time that we appointed efficient and well-paid officers to undo the effect of such bad administration all these years. I know there is a feeling in the minds of the municipal employees that many of them although very competent and good men, may not be appointed by the Government. I do not think they need entertain this fear, because if the Government find that a manager has been performing his duties satisfactorily and efficiently all these years, they will surely appoint him as manager at least for the reason that his salary is very likely to be within very reasonable limits.

"The present Act provides for paid chairmen also. We had paid chairmen in two or three municipalities. We had one in Madura. Our experience of paid chairmen has been that people clamoured for the chairmanship because it carried a salary with it. There has been maladministration by persons who cared more for the salary than for the work. The Madura Municipal Council has been superseded. Before the supersession, all the acts of maladministration of the previous chairmen were published. I was also gratified to find that the supersession was welcomed by a very large section of the right-thinking people and tax-payers of Madura. The municipality is now administered by a special officer and it will have to be reconstituted on the 13th February. So far as that municipality is concerned, once a municipal chairman comes in because the Government have not the power to appoint a commissioner, the result will be that a municipal council with Rs. 14 lakhs to spend will be left to the tender mercies of a chairman, who is not necessarily the most capable man but one who will have the largest number of votes to support him. That will be the effect of delaying this Bill. Then there is the case of the Coonoor Municipal Council whose chairman draws a salary approved by the Government. The Select Committee has taken care to exempt that municipal council from having an executive officer so long as the chairman continues in office. The Select Committee, in the first instance, has taken only those

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municipalities which have clearly an income of more than Rs. 2 lakhs, so that there may not be any hardship on the ground of expenditure. The hon. Member from Bellary said that the figures of incomes were not correct. But I must say that the figures were taken from the budgets of 1930–31 after carefully deducting items which are not recurring incomes and, items ear-marked for capital expenditure, elementary education and for particular services. There can therefore be no difficulty on the ground of the figures not being accurate. At least there were two chairmen of municipal councils on the Select Committee. There was my hon. Friend Diwan Bahadur C. S. Ratnasabhapati Mudaliyar, chairman of one of the most prominent municipalities, who has been acknowledged to be one of the best chairmen in the Presidency and whose municipality has been one of the best managed. I presume I am not revealing any secret when I say that he was one of those who was heartily in favour of the appointment of executive officers. Then, there was my hon. Friend Mr. Bhanoji Rao, the benefit of whose experience, unfortunately the Select Committee did not have often as they would like to have had it. So far as he is concerned, he has given a minute of dissent. He has now voiced the feelings, I am sure, of a very large number of chairmen who are now enjoying executive power and who object to have that power taken away from them. I do not wish to be understood as attributing anything personal to my Friend, Mr. Bhanoji Rao. I am sure, as a chairman, he knows his duty and knows the difficulties of being chairman and incidentally would welcome a provision by which the executive part of the work—the most taxing and at the same time the most unpopular part of the work—is relegated to a person who is paid to do the work and who has to do it whether it is popular or unpopular so long as it is in the interests of the municipality. Therefore, merely to say that this Bill is not welcome to a number of chairmen of municipal councils is not a sufficient reason for postponing its consideration, especially as the several members who have supported the motion for the circulation did not go to the extent of saying we should have no executive officers.

" An attempt was made to differentiate between the City Corporation and district municipalities: it was said that there were standing committees functioning in the Madras Corporation and until we provided for similar committees in the district municipalities, we should not attempt to apply wholesale the provisions of the City Municipal Act to the district municipalities.

" So far as that is concerned, there is obviously some confusion of thought. The City Municipal Act provides for a large Council of 50 members and naturally it provides also for certain intermediary authorities in the shape of standing committees for certain purposes. Each standing committee consists of seven or eight members and has certain powers devolved on it. The powers are either in the nature of a full delegation to them so that they can dispose of certain matters finally on behalf of the Council or in the nature of advisory powers so that they can, together with the Commissioner advise the Corporation Council. So far as the mufassal municipalities are concerned, the

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number of members ranges from 16 to 36 for each municipality. A very large number of ordinary municipal councils will have only about sixteen members. In such cases, to copy the example of the Madras Corporation and have four standing committees would mean that there would be four committees of four members each committee. (An hon. Member: Not necessarily. What about the municipal councils mentioned in the schedule?) With regard to other local bodies also the difficulty is the same. What really matters is this: the standing committees of the Corporation are not independent of the Corporation; they are only a device to have certain matters more thoroughly discussed and reported upon. They are statutorily appointed under the Madras City Municipal Act. Under the District Municipalities Act there is a provision for the appointment of standing committees. There is a provision for the Council entrusting certain matters to be considered by a committee and a report made thereon to it. There is a provision that every such standing committee shall be presided over by the chairman. In the case of small municipal councils the need for the appointment of standing committees is not so keenly felt as in the case of the Madras Corporation where the number of members is 50.

12-30 p.m. "I may also state for the information of my hon. Friends, particularly Mr. Sami Venkatachalam Chetti, that municipalities have always appointed committees to go into the question of the various matters, such as those relating to finance or the framing of the budget. Ad hoc committees are sometimes appointed to frame the budget. In fact the Standing Finance Committee of the City Corporation can do nothing more; it can only frame the budget and submit its proposals; the whole thing will have to be confirmed by the Corporation itself. That is the kind of committees which every municipal council has been appointing. I think that no objections could be taken to the appointment of executive officers. I do not know if there is any objection to calling these executive officers commissioners, because the executive officer of the Corporation of Madras is called commissioner. I do not think that, on the ground that they are called commissioners, we should turn down the proposals.

"My hon. Friend, Mr. Hameed Khan, said 'let us have the opinion of the various local bodies; where is the harm?' I should certainly say that there is no harm in doing so. But I should point out that this is a non-official Bill; it is not a Bill introduced by the Government. If this Bill is not taken up now, I do not know whether we will have any non-official business transacted either in February or March. We cannot prophesy what will happen in July next. It looks to me, therefore, that, if the motion is carried, it would really mean that the Bill would practically be dropped and there would be nothing heard of it so far as the present council is concerned.

"With regard to getting the opinion of the municipal councils as distinguished from the chairmen of these councils, I would point out that the Bill was published long ago; it has been before the public for a long time. Various municipal councils have sent their opinions without being asked by the Government, and those opinions were

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circulated to the members. I may assure hon. Members of this House that, the powers that are proposed to be transferred to the executive officer are those of the chairmen and not of the municipal councils. The original Bill of my hon. Friend, Mr. Ranganatha Mudaliyar, contained those powers. The Bill of my hon. Friend proposed that all the powers of the chairman should be transferred to the commissioner. We scrutinized the various sections and rules relating to the District Municipalities Act; we did not want to take away wholesale the powers of the chairman. The Bill as drafted by the Select Committee restricts the cases in which powers are vested in the commissioner.

"Then with regard to making appointments and approving contracts, now the chairman has absolute authority to make all appointments; the chairman has absolute authority with regard to giving contracts. I say this subject to correction. What is proposed to be done with regard to appointments, is that the power is not vested entirely in the executive officers; it is vested partly in the executive officer and partly in the council. The Bill of the Select Committee provides that all appointments carrying a salary of Rs. 80 and below should be made by the executive officer; the other appointments carrying salaries above Rs. 80 will be discussed by the Council as a whole and not made by one individual. The change proposed is by way of taking away one man's rule and vesting it in the Council partly and partly in the commissioner.

"With regard to giving contracts, the Bill now provides that the Council should discuss and settle contracts of the value of more than Rs. 1,000. Up to Rs. 1,000 the commissioner shall have authority to sanction. You will therefore see that the powers that are now being transferred to the executive officers are the powers which are now vested in the chairman and not in the municipal council. The scheme is to divide the powers which are to be exercised by the municipal council from those to be exercised by the executive officer as in the case of the Madras Corporation. The City Corporation have some standing committees to go into such matters. But with regard to the district municipalities whose members range from 36 to 16—there will be no difficulty for the council functioning as a whole instead of referring matters to Standing Committees. The powers are now vested in one man, that is, the chairman. We are now trying to divide them among the chairman, the council and the commissioner.

"So far as getting the views of municipal councils is concerned, I have already stated that the powers of the councils are not taken away in any respect. Only the powers of the chairmen are affected by this Bill. Some chairmen have stated that they are very much handicapped for want of executive officers. We in this House have to consider the question from the standpoint not so much of the wishes of some people but of the good administration of local bodies, of the purity and efficiency of these bodies. But if the executive officer does not discharge his duties to the satisfaction of the municipal council, it is open to the council to show their displeasure and to have him removed.

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"For these reasons, I think, Sir, that it is time enough that we proceed with the Bill. If the present motion is carried, it would mean that the Bill would not be taken up and it would have no chance of being passed in the present council. If any hon. Member feels that some of the provisions of the Bill should be amended, it is open to any hon. Member to move the necessary amendments. I see that a large number of amendments have already been tabled. There are also amendments intended for the purpose of securing the power of making all appointments to the municipal council. Schedule 9 says that there are some municipalities which are major ones in respect of which the Government should appoint executive officers as early as possible. But with regard to other municipalities, we give power to the Government to consider each case separately and decide whether the municipality should have an executive officer or not. If small municipalities cannot afford the appointment of executive officers, their cases might be considered by the Government and they may decide either to have an executive officer or not. But the larger municipalities should not be asked to say whether they would have executive officers or not. On the ground of the efficient administration of these municipalities and in view of the fact that they have large incomes and they have large resources at their command, executive officers should be appointed for them by the Government.

"In supporting this Bill, I do not want to cast any reflection on any non-official chairman. They have been doing their duties very well and they will do so in the future also. But the non-officials would welcome any provision by which they would be relieved of certain responsibilities. They are not able to discharge those duties satisfactorily having regard to the factions prevailing in some municipal councils.

"I may give one or two instances. The Chairman of the Ootacamund Municipal Council accepted the office as an honorary chairman; after one year's experience he definitely wrote that an executive officer should be appointed straightaway. He deplores the difficulty in his own council of carrying through measures which are consistent with the efficiency of the administration. He thinks that an executive officer should be appointed to that municipality. For these reasons I would implore hon. Members not to agree to the circulation of the Bill. It is very necessary that we should have a Bill of this kind passed. Let us see that proper amendments are moved and that the Bill is improved as far as possible. If you want to retain some powers to the chairman, by all means move for the amendment of particular sections. Let this Bill go forward; it will, otherwise, never come up again. I would appeal to hon. Members of this House not to lose this opportunity of appointing executive officers at least for the major municipalities.

"The report of the Simon Commission traces the history of administration of local bodies. At page 308 of their report, they say:

'In considering the legislative and administrative measures taken by the various provincial Governments to carry out the principles of the reforms in

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the sphere of local self-government, we were struck by a common failure to realize the magnitude of the change involved, which was little less than the introduction of a new system. The operation was comparable to the demolition of part of an old established and homogeneous building and the erection in its place of a structure designed in an entirely different style of architecture. To carry such a work through successfully demands not only the most careful adjustment of old and new, but a thorough understanding of both styles of building. It appears to us that the principles and practice of British local government were not fully apprehended in India. The keystone of the old system was the position of the district officer as official chairman of the district or local board and often of one or more municipalities as well. The principal administrative change made, in every province except the Punjab, was the substitution of an elected chairman in almost every district and municipality. This measure, designed to carry out the policy of enlarging the sphere of self-government by removing official control, in fact did far more than this; it radically altered the constitution of the local bodies and their relationship with the provincial Government. The official chairman had not merely been the presiding member, but actually the chief executive officer of the Local Board. In administering its affairs, he had never been entirely dependent on the Board's own staff. He combined in his person the authority of the highest revenue and the highest magisterial office in the district and had in consequence at his command an army of other officials whose services he could and often did utilize in the discharge of his local board duties. His functions as chairman of the district board merely formed part of a varied complex, the constituent parts of which fitted in with, and simplified the discharge of, each other. His revenue and magisterial work took him to every corner of his charge, and these tours served at the same time to keep him in intimate touch—without any extra expenditure of time, money or effort—with the requirements of local board administration.

'Not a few of the failures and defects of local self-government in India may be traced to the inability to realize the importance of having a competent and well-paid official analogous to the English Town Clerk or Clerk to the County Council. It was not realized how much the efficiency of local self-government in England depends on the existence of a class of skilled professional administrators who, while they follow the policy laid down by the elected representatives, are at once their advisers and the instruments whereby their decisions are put into operation. In this sphere, as in others, we have noticed a tendency to misapprehend what are the duties and functions of elected members.'

"I would also add elected chairmen.

'There is on the part of elected persons a general tendency to meddle and interfere in details of administration which should be left entirely to the paid official.'

"I would inform my hon. Friend, Mr. Abdul Hameed Khan, and Members of his way of thinking, that this Bill is not a retrograde measure, but it is intended to raise the level of administration of local self-government and to see that the work which a non-official chairman could not carry out, is entrusted to an official who is paid to attend to this work.

"For these reasons, I oppose the motions for circulation."

Rao Bahadur Sir A. P. PATRO:—"Sir, I had no mind at all of taking part in this debate; but after listening to the very eloquent speech of the Chairman of the Select Committee on this Bill, I am obliged to say a few words. 12-45 p.m.

"I am surprised that the hon. Mr. Muniswami Nayudu, a very able advocate and an experienced administrator of local bodies, even he, has failed to support his report. It struck me, when he read the passage from the report of the Simon Commission, that he gave away all his powers of reasoning and all his powers of pursuasion when he began to rely upon a reactionary Report for his case, which in effect

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[Sir A. P. Patro] [23rd January 1933

says: 'Go back to the officials, officialize everything.' Sir, the local bodies in this Presidency have struggled hard to get what power they possess now, and these local bodies have been from time to time asking for the transfer of power and responsibility to the representatives of the people. From the year 1874 the struggle was so keen, so acute that the Decentralization Commission was appointed. That Commission made definite recommendations after making thorough enquiries. Their report is a very able document and it shows that in this province local bodies have discharged their responsibilities with ability, good sense and in the interests of the people. Is that all to be wiped out now? Mr. Muniswami Nayudu has given a very good certificate to non-official agencies that are working day and night for the welfare of the rate-payers in the municipalities and the rural areas. Possibly his position as a Minister in the Local Self-Government Department disclosed to him certain facts and figures which probably justify his taking that stand, viz., a condemnation of municipal administration, a condemnation of the local bodies, and the statement that they are inefficient, that they are not able to manage their affairs properly and that they are all so rotten that you cannot place any trust or confidence in the municipalities or their chairmen. Have they come to this pass?—have the non-official agencies in charge of the municipalities and local bodies suddenly proved themselves to be incompetent and unworthy of any trust or confidence being placed in them? When did you begin to lose this confidence in the non-official agencies? (Hear, hear.) I ask the hon. Member for Chittoor, when did he discover that the state of affairs in these municipalities was such that he would transfer the power of management in domestic matters from the representatives of the people to the hands of a paid officer of Government, an officer not responsible to the rate-payers but responsible only to the bureaucratic Government? Are you not aware of cases where in the Secretariat decisions which were come to by the municipalities and local bodies were questioned? Is there not already a cry that because there is discontent in such matters, the Secretariat itself should be abolished? Are there not cases in certain departments even now where abuse of power has led us to say that we should even go to the extent of abolishing those departments? Even granting that there are irregularities in the administration of municipalities, is that the remedy that you will propose? You have got power under the present Act which has only recently come into operation—a few months back, not even a longer period—to meet cases of abuse of power. Of course in exercising the powers, the people's representatives will make mistakes, but they will learn by mistakes. So, let them make mistakes and learn. Have the originators of this Bill come to their present position of intelligence and knowledge of affairs without struggle, without training themselves in the art of local administration? So, if there are bad municipalities in this province—and there are bad municipalities—they are found everywhere; they are found all over the world. The hon. Member from Chittoor has referred to the efficiency of local bodies in England. In the newspapers almost every day you will find something about them—cases of misappropriation, cases of

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abuse of powers, cases of dismissals and prosecutions; reports of such things can be found in the newspapers in England. So, such mistakes are incidental; human nature is there. You cannot escape such mistakes by putting in this drastic provision. You cannot say that because there is a disease in a limb, you must cut out that limb altogether. I do not say that there are no municipalities which are not wholly working in the public interests; no doubt there are some where such mistakes are eating into the very vitals of local self-government. But the remedy is: you must create a spirit of public trust and public responsibility in them, and it is not by legislation alone that you can do it. If you find that there are those influences and forces or tendencies that go to make up these irregularities, you must remove the root cause and see that the mistakes are not made. The remedy surely does not lie in giving power to the Government. To-day the Government have already got power; if a municipality mismanages its own affairs or if a municipal chairman does not carry out his duties in the interests of the public, the Government can interfere and supersede the municipality; and in the latter case, the power to remove the chairman is vested in the hands of the people's representatives. You may say there are factions in local bodies and it is all a question of hands and heads. I am only sorry that my friend from Chittoor has discounted the forces of democracy. If it is all ' hands and heads ' they are surely thoughtful hands and thoughtful heads. You cannot discount the expression of the opinion of the people by their representatives. I think such a statement is a sad reflection made on the progress of democratic Government. If it is all a question of hands and heads, how else are we to express our opinions at meetings? As I said, there is already a weapon placed in the hands of the people's representatives to remove a chairman by a vote of no-confidence in case of mischief, or even to prosecute him in case of misappropriation. Government have also got the power of superseding a municipality for a time in case of mismanagement. These are the two weapons already provided in the Act and no further power is needed; and even if you do require it, why should you vest it in the hands of the Government? Are you sure that the Government will exercise such power rightly? I think it will be dangerous to vest such a power in the Government. I will warn you to consider the whole question fairly. You have the party system in the municipalities too—we are developing it there already—and suppose a chairman who is elected by a particular party combines with others and tries to make the work of the commissioner difficult. What is to happen then? I would invite your attention to the case of municipalities which have already got paid secretaries. Such municipalities have suffered or are suffering. I would appeal to the third Minister to give us the benefit of his experience and say how much he suffered under the system of having paid secretaries, when he was himself chairman. His experience must be a warning to us in risking an enormous amount on executive officers for municipalities. After all, it is the Government which will have to decide whether there is mismanagement or not and what will be the decision of the Secretariat that you will be called upon to obey? I do not think you are enamoured of the decisions of the Secretariat.

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Therefore, it is necessary that you should not take away that power which is now in the hands of the people and vest it in the Government or the Secretariat. All I will say is: if a municipality is not managed well, exercise your power and remove the causes of mismanagement.

"As regards finance, we have the audit system. In certain municipalities we have also got a revenue officer under the new Act. The pre-audit system and the audit system are sufficient safeguards against trouble in this respect. If my friend, as ex-Minister of Local Self-Government is convinced that there are municipalities which require to be controlled in regard to financial matters, by all means let the power be put into the hands of the Government; but even there I think it is not a practical remedy. The practical remedy is to trust the people themselves. If there is mismanagement, I am not one of those who are afraid of it. It is said that there are a number of cases pending, of dismissals, appeals, etc. It is also said that one chairman as soon as he comes into office removes certain people and again after three years when another chairman takes office, he removes the new people and puts in the old persons. Such an abuse of the chairman's powers can be remedied by the provisions contained in the present Act. Why should that power be now vested in the hands of an executive officer? My friend said that the salary of these executive officers will be from Rs. 350 to Rs. 800; but the actual salary will be about Rs. 800 and it will come to about Rs. 10,000 a year. Rupees 10,000 to be spent on an executive officer by a municipality which has an income of Rs. 3 or Rs. 2 lakhs! It is not a small amount. Surely there are many ways in which that sum can be better spent; for instance on improvement of roads, village reconstruction, etc. Rupees 10,000 is not a small thing and the already poor municipality will become poorer still. Do you not trust the people to manage their own affairs? The new Act contains provisions for the appointment of various committees for various departments of administration. These administrative committees will be able to check any abuse of power. What is to be done if a chairman elected by a party combines with others and makes the work of the executive officer difficult? Naturally he will apply to the Government for help; and if the proposal of the hon. Member from Chittoor is to be acted upon, what will be the result? The result will be that you won't have any local self-government; on the other hand you will have a Government department in the municipality; you will have no more municipalities or local bodies to manage their own affairs and the Government through the executive officer will be managing the whole thing. In other words, you will return to the old system of *Ma bap* rule, and the people, like so many children will be under the protection of the officials. I think we are long past that stage. It is quite unnecessary that any further restriction should be placed on the people's management of their own affairs. Just because a few municipalities are not working well, you want, on that pretext, to apply this system to all municipalities. I therefore say that the arguments advanced by the hon. Member for Chittoor have only convinced me that this change is unnecessary. One remedy is open to us. That is, take away Schedule IX completely and say that the Government have got the

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power—in fact the Government have already got it—to decide all questions of mismanagement for us. We can then ask the Government to tell us whether we are good boys or bad boys in regard to the management of our own affairs. For these reasons, Sir, I am not in favour of taking away the powers of the municipality which it now possesses and vesting them in the person to be appointed by the Government."

1 p.m. * Mr. K. R. VENKATARAMA AYYAR:—" Mr. President, Sir, I thought that, when this Bill came on, on an earlier occasion and was sent up to the Select Committee, the various sections of this House were agreed that the principle of this Bill was acceptable and commendable to them, that there was a great necessity for the executive administration of at least the major municipalities to be committed to the charge of paid whole-time officers, who would be able to steer clear of factions and party spirit raging within the Council. ('Hear, hear'.) Many speeches to-day have been delivered as if the very principle of the Bill is yet open to decision, as if we have for the first time to make up our minds, whether for the major municipalities we wanted commissioners or executive officers. I think the stage has long passed when we should go into that matter, as if it were a controversial point. I think we ought to deal with this Bill at this stage on the accepted footing that for the major municipalities, in the interests of good and efficient administration, paid whole-time officers are a *sine qua non*. Again, I think there is a certain amount of confusion in the minds of many a speaker as to what really would be the resulting situation if this Bill were passed. It is not as if the chairmen of the major municipalities for which commissioners would be obligatory—it is not as if those chairmen are reduced to mere figure heads. They are presiding over meetings of the municipal council. The budget, all important projects and all resolutions which are intended to lay down policy—all these come directly at the meetings of the council for consideration by the council as a whole. And the honorary chairman, who presides at those meetings as well as over meetings of the committees of the council—if there are to be committees by reason of his position as such and his general influence in the locality and his capacity to take with him the general consent of the people of the place, can influence his colleagues in the shaping of policy to the best advantage of the ratepayers of the areas concerned. That being so, neither the council is deprived of any part of its essential powers, nor the chairman of his legitimate powers, as for example, the shaping of policy. The question is whether in the case of bigger municipalities, it is at all prudent, it is sound and safe to look to an honorary chairman, with his pre-occupations and multitudinous other public and vocational duties, for the details of day to day administration and the efficient supervision of the services in the town. That is essentially in the nature not of laying down the policy but of carrying out the policy laid down by the municipal council. That is arduous in its nature and requires the whole-time attention of a trained public servant or a class of servants, who would compare favourably with the esteemed class of Government servants in this country. In the Report of the Simon Commission, about which a

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strong condemnation has been made by Sir Patro, the distinction between the position of an honorary chairman and that of a paid executive officer is well brought out under the heading of 'Local-Self-Government.'

"This is what that report says at page 309 of Volume I:

'It seems to have been expected that an elected chairman should not only take the place of the District Officer as presiding member, but should also, without pay and in such time as he could spare from his own affairs, be the chief executive officer of the Board, with such assistance as he might obtain from an ill-paid secretary, little better than a minute clerk, and from the technical officers such as the engineer and medical officer. This was an entire misconception of the British system wherein a very clear distinction is drawn between the spheres of action of the elected representative and of the officer of a local authority. It was, indeed, a reversion to a very early stage of British Local Government, but the extent to which it was carried in some instances may be judged by the fact that, in one district at least, the actual supervision of the repairs of a road was parcelled out among the individual members of the Board as if they were old English Waywardens.'

"I submit, Sir, that the discussion which has proceeded this morning on the floor of this House betrays an entire obliviousness as to the true distinction between the scope of the functions of the president of a local board or municipal council and the scope of the functions of an executive officer, who does not lay down policy but merely carries out the various daily duties of administration in accordance with the policy which is binding upon him.

"Now, Sir, Sir Patro, who unfortunately cannot be seen here now, decried the Simon Commission Report. Sir, political memories, when it suits self-interest, seem to be peculiarly short. I wonder if, in this House, there is any other Member who, not long ago, waxed most eloquent in praise of the Simon Commission, or who did his level best to bring into the region of praise the labours of that Commission. I wonder if he has had time to forget the fact that he presided over the Auxiliary Committee, which was part and parcel of the Simon Commission during its labours in this province. I suppose he was the inspirer of that stock of ideas which have been so well and forcibly put in the pages we have had to read to the House to-day. Yet Sir Patro elected this morning to boss over this House as if everybody else here is a reactionary and he and those for whom he is speaking alone are democrats. I think we would come to grief if we were, for our lessons on democracy, to be committed to the kind and tender mercies of such a democrat as Sir Patro professes himself to be this morning. I think, Sir, when lessons on democracy come from such a source we should look at them with suspicion and turn away from them for the very reason that they come from such a source.

"Sir Patro was telling us that the present Act has excellent provisions to secure good government and to get rid of misgovernment in municipalities. He was not tired of repeating that there was the provision for supersession of municipalities in cases where they misgovern themselves. He said that every time there was misgovernment it was up to the Provincial Government to step in with an order of supersession, and in that way set aright or vindicate the claims of democracy

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in the sphere of Local Self-Government. That is a very strange argument, in face of the fact that of late there has been a large number of cases of municipal misgovernment. Under the well-considered scheme, which has been approved by representatives of all sections of this House who sat on the Select Committee over this Bill, this misgovernment could be avoided. It is only in name that this Bill is a non-official Bill; it is brought in as a non-official Bill simply because the late Chief Minister, for one reason or another, did not command the time and opportunity, even though he repeatedly said he would be able to command time earlier for introducing a similar measure. I say that on the Select Committee this Bill commanded the full consideration and the consent and the approval of Government as well as of various sections of this House. That being so, it is no use trying to speak as if this is a party measure which has to be dealt with in a hostile fashion by such protoganists on the ministerial side as Sir Patro. The fact really is that instances of mal-administration in the more important municipalities have accumulated of late to such a large extent that the remedy of supersession, if regarded with favour means what? Not an improvement in local self-government but a stifling or destruction of local self-government altogether or the substitution of the uncontrolled autocracy of a paid special officer without any council to lay down policy or exercise control in respect of his acts. What is it, for instance, that has been done very recently in the case of that superseded big municipality, next only to the City Corporation, namely, Madura? For every act of policy, for levying huge excess taxation, for embarking upon various other schemes and projects, for dismantling the whole scheme of electoral wards, etc., what is it that was done there? A single officer, who is vested by Government with the powers and duties of a municipal council of 36 members, wires to the Government and then comes forward with a resolution as if passed by the municipal council, gives his assent to it and carries out important and drastic changes. That is the product of such an officer. Does my Friend, Sir Patro, think that the present Act which contains the power of supersession is sufficient to secure efficiency in the various misbehaving municipalities? I think it is forgotten by various speakers, who spoke this morning that these bigger municipalities are in fact in the nature of business corporations, on whom entail, or at least on whose chairman entails, a very large volume of business activities and duties. You cannot expect the presiding honorary chairman to devote his time for more than shaping the policy. You cannot expect him to carry out the details of the business.

"Therefore I think the House did right on a former occasion to refer this Bill to the Select Committee for consideration of the detailed provisions. We stand committed to the principle of the Bill. Commissioners or salaried executive officers are a *sine qua non* for these business bodies. The question is whether in the present Bill as it has emerged from the Select Committee, more powers have been attempted to be vested in the Commissioner than would be right and proper and any

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powers have at all been taken away from the chairmen which it is desirable that they should continue to possess. If upon that point there is any divergence of opinion, that is a matter to be gone into on amendments which will deal with it. But really it is only the detailed executive duties which are provided for in the various clauses. These duties have been grouped together in a schedule where transferred executive functions are detailed. As I said, in any case that is a matter for amendment in the course of the discussion and consideration of the Bill now by the House. The question, therefore, is whether by accepting this motion for circulation we have anything to gain. It is worthy of note that, barring one or two gentlemen, estimable gentlemen of this House who undoubtedly are successful chairmen of their municipalities, for instance, the mover of this motion for circulation and Mr. Bhanoji Rao, I think we had only the academic ideas of some of our City Members who are not in touch in a practical sense with the daily difficulties experienced in the course of mufassal municipal administration. I think Madura is entitled to make itself felt on this point. The experience of Madura is fresh in the minds of all of us. It is a very big municipality. As my hon. Friend, the ex-Minister, said when he referred to the case of Madura, there was more than one chairman who brought the municipal administration there into contempt, a joint achievement of at least two successive chairmen who were patted alternately on their backs by the Justice Ministry. It is their joint contribution that resulted in the supersession of such a big municipality having over 14 lakhs of revenue. This is the result of their administration. The municipal council was superseded first for one year, and again for six months. It is an ignominy which is visited upon a population of about 182,000 citizens, not for any fault of theirs but because of the misgovernment by and the competition as between two rival salaried chairmen. I think the sooner such a state of affairs came to an end the better not only for Madura but for all other big municipalities, which, if they have not already reached the climax of mal-administration that had been reached in Madura are undoubtedly well on the road towards such a culmination. I say, Sir, that this Bill is an absolute necessity, that any attempt to hang it up is likely to be disastrous in effect and any attempt to improve the provisions made by the Select Committee can easily be taken on hand immediately when we go into the various clauses of the Bill. I am inclined to think that the Members from the City of Madras who spoke from the benches behind me, do not have a realistic conception or true idea of the daily difficulties experienced in the mufassal municipalities. I have no doubt that they were all in favour of the principle of paid commissioners, but their only doubt was whether more by way of power was not put on the heads of these commissioners than it was desirable to do. On that point I have not the least objection to detailed examination in the course of the discussion of the amendements when we take up the contents of the schedule where the various sections are grouped together under which the powers are proposed to be transferred to the executive officers or commissioners. But otherwise I think we have to go forward. Even municipal chairmen

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in the mufassal, barring a few people who feel exceptionally competent to handle all the affairs of the municipalities because of the larger leisure they can command, even municipal chairmen, the bulk of them, will be glad to be relieved of these dry-as-dust details of administration. I think this Bill ought to go forward and in a spirit of public spirit and co-operation even those members behind me who sounded a different note will veer round and come to the help of large mufassal municipalities which have reached the climax of maladministration and for whose benefit the commissioners are absolutely necessary. If you put it off, you put it off practically till after the advent of the new Council. No doubt many things of a fundamental character may require to await the advent of the new Council, but not such a small matter as a provision for salaried full-time officers for being in charge of the details of daily duties in connexion with the administration of the municipalities, whose policy will continue to be in the hands of honorary chairman and responsible councillors."

* Mr. YAKUB HASAN:—" Mr. President, Sir, I oppose the motion for circulating the Bill to the municipalities. I do not think any useful purpose will be served by the circulation. The Bill was published and it was open to the municipalities to consider it and express their opinions on it, and I understand several municipalities have already done so. After all, we will not be guided solely by the opinions of these municipalities in deciding this matter. We must deal with this Bill on its own merits irrespective of the fact whether the majority of municipalities are for or against it. I am in agreement with the principle of the Bill. The appointment of executive officers will make municipal administration more efficient than it is at present. Of course it is not desirable to give some of the powers that are proposed to be given to the executive officers. This is a matter of amendment, and when these amendments are before us, we can go into those details. I think this Bill is a very necessary measure and its postponement is not at all desirable. This motion to refer it to the municipalities is nothing but an attempt to postpone it altogether."

* Mr. J. A. DAVIS:—" Mr. President, Sir, admitting the necessity for the remedying of defects now existing in the administration of our municipalities I fear that hasty legislation will result in more harm than good, and my hon. Friend, Diwan Bahadur Muniswami Nayudu, ought to be the last to oppose a patient and exhaustive consideration of this Bill, after the experience of the hastily introduced Motor Vehicles Taxation Act, the effect of which we are feeling.

" One point made for the introduction of executive officers is that the income and work in some municipalities has gone down beyond the scope of honorary chairman; could this not be remedied by the introduction of provincial services for Health Officers, Revenue Officers and the Managers. Government will control these officers and efficiency will be assured. Take the case of the recently introduced Food Adulteration Act. Unless the Health Officer has Government behind him, it will be impossible for him to carry out those duties with impartiality.

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If such a duty is entrusted to the executive officer he will risk the displeasure of one or other of the parties in power. I make the reference in view of my contention that the measure ought not to be rushed through. I cannot see that any harm can result from municipalities being given one month in which to give their views on the measure. I therefore support the motion for circulation since the municipal councils are the best to advise in the matter."

After Lunch (2-30 p.m.)

* Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, Sir, I am sorry to note the trip the discussion has taken. There is neither the question of party politics nor the condemnation of democracy. I do not believe that democracy will ever suffer by making a provision for the due administration of the details of the daily administration. I do not believe that it is in the experience of any democratic country that every office should be held or ordinary routine duties discharged only by elected members or elected officers. There must be a strong, efficient and capable permanent service attached to local bodies and then alone there is the guarantee of the proper discharge of the functions of the local bodies. The adequacy and efficient way in which the elected representatives discharge their duties lies in laying down correct policies and seeing that they are duly carried out. As it is, these office-bearers do really discharge the duties but one thing fundamentally distinguishes them from what is proposed in the Bill. The officers are now discharging these duties under powers which are tacitly exercised by the consent of the chairmen or presidents but they themselves carry no responsibility for the proper discharge of the administration. Therefore you will find the same identical function discharged popularly in one place and most unpopularly in another place, efficiently in one place and inefficiently in another place. The Bill if anything legalizes the matter by investing the executive officer, with certain administrative powers, calling him by a new name, so that he may exercise certain powers subject to certain responsibilities. There will be the control and there will be the uniformity of control. These are all necessary and there are adequate safeguards. Another advantage is this. There are municipalities where there are paid chairmen. It is the paid chairmanship that is sought after by some people and it is in the disappointment caused that factions begin to grow. I do not say wholesale there are such municipalities but there are such cases. Now by the appointment of these paid commissioners who will merely take the place of the present managers, perhaps it may be higher salaries adequate and proportionate to the resources of particular municipalities, there will be no appreciable addition to the cost. There will no longer be paid chairmen. There is no danger to democracy whatsoever. I know of certain cases where the managers are trying to pull the chairman by the nose and several chairmen having regard to the method and manner of the orders passed already feel themselves bound to follow the same for consistency. That is the way various irregularities occur.

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On the other hand if proper men with due qualifications are provided by a central body, there is every chance of proper administration going on. Then the question will be what will be the minimum revenue of the municipality or the population of the municipal area for consideration. That question may be open while the Bill is in progress and there will be no virtue whatsoever for circulating the Bill; you will have only variorem reflections of the various municipalities. Reflections of the municipalities will be the reflection of the existing incumbents. The Bill has been received after good consideration from the Select Committee and the three Ministers who have held the portfolio of Local Self-Government have signed the report of Select Committee without any minute of dissent. In these circumstances I oppose the motion for circulation or for adjournment."

* Mr. G. SIMHACHALAM PANTULU:—" Mr. President, Sir, no doubt it is quite opportune now for the Bill to be introduced. I have gone through the whole report of the Select Committee and they have considered the Bill from the various points of view. No doubt the speeches delivered this morning are very interesting. Some of them may be made into essays and introduced in classes for helping the study of the question. But how far these are worked out in the mufassal areas and what are the results produced let us examine for a few minutes and see whether the measure sought to be introduced is desirable in the interests of the public. As representatives of the people we have to see that the interests of the people are safeguarded. It is time for educating the masses. We know, Sir, the way in which these elections are now being conducted. There are so many complaints of corruption and the voters are only selling the votes. This is how the people have interest in their representatives. We can only dictate policy for the guidance of the people but when we get into power by this means people merely flock together and demand help for their friends and relations elected as councillors. We ought not to feel that we have power. We have power to dictate the policy and we cannot have power to see that it is carried out. It is only to see that all these irregularities do not occur that we wanted non-official chairmen. Supposing the chairman himself is to do it. He may not be able to do it. Even Mahatma Gandhi is bound to err in that place under the present system. To err is human. I do not want to waste the time of the Council. Every one knows how the elections are conducted and how Local Self-Government is going on in this Presidency. If you want to do anything to humanity this is the only way. Justify your existence here in this Council as the representatives of the people, and allow the Bill to be introduced."

* Sriman M. G. PATNAIK Mahasayo:—" Sir, the simple question is whether it is necessary that the opinion of the municipalities should be obtained before this measure is passed. It must be admitted that there are certain municipalities which are corrupt and therefore some special powers have to be adopted to set them right. But is this appointment of an executive officer or commissioner sufficient or adequate remedy? That is the question. No doubt people have got the executive officer or

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Commissioner of the Madras Corporation in view and probably that is the picture they have in their mind when they urge the appointment of commissioners for every municipality. But I think even the executive officer or the commissioner is a human being such as the chairman or anybody else. The grounds on which the executive officers are urged are two. The first is that the chairman has got so much work to do and cannot properly attend to the duties they have to discharge and secondly they cannot be impartial in regard to persons on whose vote they have to depend. These two seem to be the main reasons urged. When an executive officer is appointed you may rest assured you cannot have an officer of the grade of the Commissioner of the Madras Corporation. You cannot expect that they will remain as strong as the executive officer of the Corporation. I do not know even if the executive officer of the Corporation is always strong. That is a matter which has to be decided by others. (Laughter.) I have no idea of that; they are all human beings. If the chairman asks him to do a certain thing he may think of obliging him and he may have his likes and dislikes. Even judges have to be transferred once in two or three years because they may form likes and dislikes if they continue. So I do not think he can remain as impartial as the Mover of the Bill thinks that he will be. So that, that ground falls. That is one point. The second point is if he does not remain impartial he may have likes and dislikes and may favour certain persons. Therefore it is not at all a sufficient remedy. As regards work, if work is very heavy and if the chairman considers it necessary to have the assistance of a paid officer of some experience, I think it will be always open to him to apply for the appointment of an officer. Then the Government may lend him the services of an experienced officer. The thrusting of an officer implies that these people are incompetent to take care of themselves and even now when they think they are fit for Self-Government they have to be under tutelage. If we pass this measure we will be practically admitting that we are not fit for carrying on the administration of the smallest local body.

2-45 p.m. " If that is so, how can you say that you are to have more powers in the administration of a province? Therefore, it is a great reflection upon our administrative capacity and upon our impartiality. So I should think it wrong to thrust the appointment of an executive officer against the wishes of the municipal councils. Of course, when there is heavy work, it is always open to the council to apply for such assistance. In such a case it may be done. Supposing an executive officer is appointed, is there any guarantee that there would not be any corruption afterwards? Even then there may be corruption. The corruption is due to the personnel of the council or the personnel of the officers in the municipal body. It is said that a man gets into power by counting heads. That is so in all democracies. The Ministry here also depends on the counting of heads. Here also we do not find that the Ministry is always straight. I think that one of the charges against Mr. B. Muniswami Nayudu, when he was Minister, was that he could

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not please his followers. If that is so, and if the Minister has to please his followers, how can a Ministry remain straight? Even in the case of the appointment of executive officers, there will be some difficulty if that power is given to the Ministry. If Mr. Muniswami Nayudu supported this Bill, he did it because he sponsored it as an official. Because he committed himself to it, he is now supporting it. But I also see from his speech that there is a ring of sincerity in his support to this Bill. All the same, he committed himself to a particular opinion when he was Minister, and therefore he has to support it. I think that this time is not the proper one for a Bill of this sort to be passed, so that the municipalities should be under an obligation to appoint executive officers. It was also said that we might get better men. Simply because you pay higher salaries, do you think you will get abler or better men than some managers of the municipalities. Some of these managers may be more capable than the deputy tahsildars or Deputy Collectors who may be taken as executive officers. It does not follow that because an executive officer is appointed by the Government, he will be invariably superior in abilities to the manager. Nor does it follow that because the manager gets a lower salary he cannot carry on his work. Therefore, I do not think that we will be justified in passing this measure without referring to the municipalities the measure for eliciting their opinions. Mr. Muniswami Nayudu said that two chairmen of municipalities were on the Select Committee and that they therefore represented the other municipalities. At the same time, he said that one of them did not attend the Committee meetings at all. Therefore, Mr. Ratnasabhapati Mudaliyar alone represented all the municipalities! I say that Mr. Ratnasabhapati Mudaliyar cannot be said to have represented all the municipalities. Of course, we know he is a very loyal follower of Government (laughter). Mr. Bhanoji Rao was not there at all. Why did not the Government take care to elicit the opinion of the municipalities? Supposing no reference is to be made to the municipalities even now, I should say that no executive officer should be appointed except on the application of the municipalities. It does not mean that everybody is corrupt in the municipal councils. The majority of municipal councils may consider it necessary that an executive officer should be appointed. In that case, let them apply to the Government for the services of an executive officer. In such a case an officer may be deputed by the Government. It would not be right that an executive officer should be thrust on all the municipalities. I therefore think that a reference to the municipal councils for eliciting opinion is necessary."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"I move that the question be now put."

* The hon. the PRESIDENT:—"I suppose the House is anxious to hear the Minister." (Voices: 'Yes, yes.')

* The hon. the RAJA OF BOBBILI:—"Sir, in opposing the present motion for circulation, I shall just say a few words. In doing so, I need

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not go into the reasons given by both sides for and against the measure itself. I feel it is unnecessary at this stage to go into the merits of the Bill. As far as my own opinion goes, I feel that for the better administration of the municipalities a measure of this nature is necessary. No doubt, it has been said that Government has got power to supersede a municipality. But personally I think it is a very drastic step, and it is far more desirable to prevent any case where the necessity arises for supersession occurring by appointing commissioners in the case of large municipalities where the work would be too heavy for an honorary chairman, and in the case of other municipalities where the administration has come to a standstill, or where there has been a deadlock, or where owing to party factions the municipality has ceased to properly function. I do not advocate wholesale appointment of executive officers in all the municipalities. I should like to submit to the House that if they feel that the list now given in the schedule is too large, it is open to the House to delete some of the municipalities.

"As regards the powers of the executive officers, after careful consideration and after following more or less the lines of the City Municipal Act, the Select Committee have drafted the Bill, and as far as the Government are concerned, they feel that if the commissioner is to efficiently discharge his duties, those powers would be necessary. But it in the opinion of the House any reasonable limitations are to be put on the powers of the commissioner, I am certainly prepared to consider them. During my short experience, I find that many cases of friction in municipalities were due to the new provision of no-confidence motions. The entire time of the chairman is taken up in satisfying one section or the other, and there is hardly any time left to look to the affairs of the municipality. Then, the chairmen are very often troubled in the case of contracts and in the case of appointments. I personally feel that this Bill is not only in the interests of the municipalities themselves but it will make the task of many a chairman much easier if this provision for the appointment of executive officers is accepted. With these words, I oppose the motion for circulation which will really mean, as it is a non-official measure, that the Bill may be shelved altogether."

Dr. P. SUBBARAYAN:—"Mr. President, I was glad to hear the hon. Chief Minister opposing this motion for circulation, because this motion is really intended to delay the passage of this much wanted measure. It is a well-known fact that I have been in favour of the appointment of executive officers both to municipalities and to local boards because the work of these bodies is such that it is impossible for an honorary worker to carry on the work, if the work is to be efficiently carried out. I am surprised that my hon. Friend Sir Parasuram Patro waxed eloquent against the way in which we are trying to make inroads into the rule of democracy. I do not think anything of that kind is being done by this Bill. I can quote him the example of France which is supposed to be a good example of democratic institutions, and I am sure that my hon. Friend knows that the *Prefect* exercises the

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function of executive officers in most of the self-governing bodies of France, and in Germany even in the time of the Emperor, we had what is called the Burgomaster to exercise the functions of an executive officer. So, what is being done by this measure is to introduce a thing of that kind. We are not trying to take away the powers of municipal councils. On the other hand, they will still have the power to lay down the policy and principles which will be carried out by the executive officer. As representatives of the people, they will have the right to dictate policy, but in the carrying out of such a policy the commissioner will come in. I do not think that leaders of parties, as Sir Patro himself admitted, should have the right to appoint clerks and other servants of the municipal council, because party interests are sure to have great play. I am sure my hon. Friends who have been presidents of district boards and chairmen of municipal councils will bear me out when I say that there have been occasions when they have had to make appointments even against their own wishes because they found that the party in power of which they were the representatives goaded them into making such appointments, however undesirable such appointments may have been.

"Sir Patro talked of giving away democratic powers just when democracy was going to get more power in this country. Is he forgetting the fact that already in this province, we have the Public Services Commission which has taken away an immense amount of patronage from the hands of the hon. Members of Government? That is just as it should be. Because the hon. Members of Government are here to carry out the policy of democracy and not to exercise patronage of the kind I have mentioned. Therefore, I am delighted that the hon. the Chief Minister has opposed this motion, which is really meant to kill this Bill."

Mr. T. S. Ramaswami Ayyar's amendment was, by leave, withdrawn.

Mr. M. D. T. RANGANATHA MUDALIYAR:—"I do not press my motion."

The amendment of Mr. M. D. T. Ranganatha Mudaliyar was, by leave, withdrawn.

* The hon. the PRESIDENT:—"I will now put Mr. A. Ranganatha Mudaliyar's motion to the vote of the House. The question is—

'*that the Bill further to amend the Madras District Municipalities Act*, 1920, *be taken into consideration*'."

The motion was carried, and the Bill was taken into consideration. 3 p.m

Clauses 1, 2, 3 and 4 were put to the House and carried.

Clause 4-*A*.

Mr. E. CONRAN SMITH:—"Mr. President, I move the following amendment standing in my name:—

'Renumber *clause* 4-*A as clause* 4. *When clause* 4 *is omitted, clause* 4-*A becomes clause* 4'."

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Mr. T. SUNDARA RAO NAYUDU:—" I second it."

The amendment was put and carried.

Clause 4-A, as amended, and clause 5 were put and carried.

Clause 6.

* Mr. C. BASU DEV:—" Mr. President, Sir, there are standing in my name two seemingly conflicting amendments, one that the Government shall appoint an executive officer for every municipality in this province and another to omit the list of municipalities mentioned in Schedule IX altogether so as to vest in the Government discretion to choose such of those municipalities as in their opinion deserve or require an executive officer either on account of the heaviness of administrative work or of maladministration; in the former case the executive officer may be a permanent feature. I am personally of the opinion that all municipalities should have the advantage of an executive officer and that a service of executive officers be created by the Government, absorbing into it efficient municipal officials. But, as I found that this view of providing every municipality with an executive officer did not find much favour among some hon. Members of this House, and that consequently it would be difficult to institute a service of executive officers, and as I am anxious to protect the present efficient municipal officials who, unless they are absorbed into such a service, would stand the certain chance of being sent home, I feel that the Government may be given the discretion to choose the municipalities which deserve executive officers and not to force the Government to compulsorily appoint officers to any set of specified municipalities without knowing how it would affect the present officials who have to their credit great and efficient administrative experience. After all, Sir, this discretion does not go beyond the discretion the Government have already got to supersede municipalities. This is only a lesser power and further the appointment of an executive officer is not intended as a punishment but as a help and casts no reflection upon the municipal council or its chairman.

" Sir, I should like to refer in this connexion to the suggestion that has been made by hon. Members opposite this morning with reference to the mufassal municipalities. Some Members who are also on the Madras Corporation claimed credit for the standing committees of that body and suggested a similar provision for mufassal municipalities. If they would allow me, I would say that the least said about those committees, the better. (Mr. Sami Venkatachalam Chetti: ' Nonsense.') (Cries of ' Hear, hear.') Out of deference to my hon. Friends on the Corporation and to the President of that body, I content myself with saying that I have a very poor opinion of the standing committees of the Corporation."

* Mr. SAMI VENKATACHALAM CHETTI:—" Mr. President, may I rise to a point of order and request you to call the hon. Member to order for casting aspersions on a body which is not officially represented here? He has no business to say or insinuate that everything connected with

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the standing committees is undesirable. I know that Mr. Basu Dev has practically no experience of the working of standing committees there."

* The hon. the PRESIDENT:—" I do not think there is any point in that point of order. Even as several hon. Members have had poor opinion of municipalities other than theirs (laughter), Mr. Basu Dev seems to have a poor opinion of the Madras Corporation."

* Mr. C. BASU DEV:—" All human beings are liable to err. Whatever it is, I had no intention to offend any Member of the Corporation, but was only stating what has now become a notorious fact. I do not think I need say anything more in support of my amendment. I, therefore, now move, Sir,—

'that section 12 (*c*) (1) *be deleted and that in section* 12 (*c*) (2) *the words " not included in Schedule IX " be omitted '."*

* Mr. M. DEVADASAN:—" Sir, I beg to second the amendment. There are 81 municipalities in this Presidency. The Bill as it is would apply only to some of them. It is only fair and just that it should be made to apply to all the municipalities."

* Mr. K. R. VENKATARAMA AYYAR:—" Sir, I oppose this amendment. The idea was, when the Bill was considered by the Select Committee if possible, as officers for the posts of commissionerships became available, to appoint a commissioner to each one of the 81 municipalities. The Government felt that all at once if commissioners had to be found for all the 81 municipalities, it would be a great difficulty. Therefore we had to resolve upon some limitation in the first instance until a set of officials suitable for the post of commissioners became available in sufficient numbers. The test that we considered was 50,000 population or Rs. 1,00,000 revenue from ordinary sources as eligibility for having a commissioner. At that rate 46 municipalities came into the schedule. It was felt both on grounds of caution and because of the reason urged on behalf of the Government that so large a number as 46 officers would not at once be available, that it was better to adopt the limit of 50,000 population or 2 lakhs revenue from ordinary sources. On that basis we found that 26 municipalities became eligible to have commissioners appointed to them. If we approve, as we now have done, of the policy of instituting salaried whole time commissioners to be in charge of the normal day to day executive duties of the administration, then it is no good leaving it to the party in power at the moment, in an arbitrary fashion, to pick and choose out of 81 municipalities and appoint executive officers for some municipalities for a time and not appoint them for the same municipalities at other times or not appointing executive officers at all for any municipality. It would then really come to it that the Government would be in a position, almost freakishly, to appoint or not to appoint for all or any municipality. That is as good as, if not worse than, not passing this law at all. If we mean business, we must go upon some basis. The basis adopted, after careful consideration, by the Select Committee, with the assent of all sections of the House which were represented on that Committee is a workable and safe basis. Therefore I think the schedule must

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remain untampered with, and, if Mr. Basu Dev's amendment is adopted, it would mean that no one municipality would come under the category of municipalities for which an officer should be compulsorily appointed. Government may then notify or may not notify any or all municipalities. I think that would be a very uncertain and precarious state of affairs which is not business. It is not what we are assembled here for. Therefore I oppose this amendment."

Mr. C. BASU DEV:—" Mr. President, my amendment was hastily drafted and therefore does not carry out my object. I request that it may be adopted in this form:—

' Omit *section* 12 (*c*) (1), *and in section* 12 (*c*) (2) omit *the words* " *not included in Schedule IX* " '."

3-15 p.m. • Mr. M. A. MANIKKAVELU NAYAKAR:—" It is only to prevent the Government from doing things as they like at least in the case of major municipalities the schedule was added. Government will have no option in the case of 26 municipalities included in the schedule. They will be guided on two principles. One of them is the test of income and the other population. When the municipalities satisfy these two tests they will be included in the schedule. The case of Madura Municipality was fresh and the Select Committee took care to see that a schedule was inserted. But my hon. Friend, Mr. Basu Dev, proposes by his amendment to give entire powers to the Government to appoint these executive officers as the Government of the day please. That will be very undesirable. As far as we know during the last few years the Government are subject to certain influences and it is not desirable that the entire discretion should be given to them. As far as practicable and as far as we can restrict their power of discretion, it would be better. It is only with that object that the schedule has been included. The amendment proposes to defeat that object and I therefore oppose the amendment."

• Diwan Bahadur B. MUNISWAMI NAYUDU:—" The main feature of this Bill is to give power to Government to appoint executive officers to certain municipalities on certain well-defined conditions, viz., either on the ground of population or on the ground of income. The Bill originally introduced laid down that an income of 5 lakhs was necessary to appoint an executive officer. At that rate only one or two municipalities would come under the scope of the Bill. So far as the Select Committee was concerned, it considered the appointment of executive officers to all the municipalities desirable. They divided the municipalities into three classes. They put all those municipalities that satisfied either the population test or the income test under one category straightway. The Bill gave the Government discretion to appoint executive officers to certain municipalities on account of various considerations and those municipalities were brought under Schedule IX. Lastly for the sake of providing for smaller municipalities, the Bill provided that Government might consider those cases, either on the ground of incompetency or on account of other causes, and appoint executive officers for those municipalities, not permanently, but from

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time to time. According to the present amendment, the Government would be entitled to appoint executive officers to such municipalities as they please and not compulsorily appoint executive officers at least in the case of certain municipalities. I think the proper course would be to allow the scheme as it is and consider afterwards whether any of the municipalities now included in the Schedule IX should be dropped or not. Notice of an amendment to that effect has been given by the hon. Member for East Godavari for the deletion of certain municipalities in schedule and when that schedule is taken up, the amendment which my hon. Friend, Mr. Basu Dev, wants now to introduce may be introduced in the manner in which he suggests or in any other manner he deems fit. It is absolutely essential that the Bill should lay down definite principles on which the Bill should become operative with regard to the appointment of executive officers in the case of certain municipalities and not put the Government in a very delicate position. If, after experience, it is found that the scheme of appointing executive officers to certain municipalities works out successfully, it will be extended to other municipalities. For these reasons, I would earnestly urge upon the hon. Mover of the amendment not to press his amendment."

* Mr. SAMI VENKATACHALAM CHETTI:—" In following a discussion on this Bill, I am forcibly reminded of a wise saying that an unskilful artist who wanted to draw the picture of his teacher drew the picture of a monkey. It seems to me that the Bill when finally passed by this Council will be more or less in the shape of a monkey. I am afraid, while making amendments, the original idea of this Bill is entirely forgotten. I do not think it was ever emphasized that the provision for the appointment of commissioners was necessitated on account of the heaviness of the work of the chairmen of the municipalities. The prominent idea which impelled most of us to agree to the appointment of executive officers was the palpable mismanagement that we were experiencing in some of the mufassal municipalities. Now according to this amendment the appointment of commissioners to all municipalities is being considered on the ground of heaviness of work of those municipal councils, and not whether they are mismanaged or not. If the work is heavy and thereby a necessity arises for the appointment of a commissioner, I think the heaviness of work can be mitigated by giving a fuller staff to the chairman. I do not see why any honest, efficient and capable chairman who is able to conduct the administration of a self-governing institution should be saddled by the appointment of a commissioner and his powers being divested and handed over to the commissioner. I can quite foresee Government passing a legislation in the case of certain municipalities of big towns like Madura and Trichinopoly. In most municipalities you want to penalize the chairman, however efficient he may be, by the appointment of a commissioner. There is undoubtedly danger if this amendment is carried the selection of municipalities for commissionerships will be decided more or less on party lines but that is not the reason why we should include all the municipalities the management of which is beyond all cavil or criticism. I would on that ground support the motion made by my hon. Friend,

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Mr. Basu Dev as I know amendment will be coming in order to confer discretion on Government in the appointment of commissioner to any municipalities they like. It is because I see certain amendments on the paper that Government can appoint commissioners in cases where they find that the administration is inefficient and after giving an opportunity to the municipality concerned to show cause why they should not appoint a commissioner, that I support the amendment of my hon. Friend Mr. Basu Dev, though on account of his thorough ignorance of some of the big municipalities he chose to cast aspersions at the standing committees of those municipalities."

* Mr. M. A. MUTHIAH CHETTIYAR:—" I rise to support the amendment of my hon. Friend Mr. Basu Dev. I am one of those who think that municipalities should have the benefit of full-timed officers. Most of the chairmen are persons who would be otherwise busy and do not find time to attend to even their private work. In such cases it is better that the municipalities have full-time officers. The amendment certainly would not mean that executive officers should be appointed to each and every municipality. If Government have power to appoint commissioners and if they feel that the administration of certain municipalities is inefficient or their work is very heavy, there is no harm in appointing executive officers to those municipalities. I do not think that it is fair to suspect any ministry. To whichever party they may belong, I do not think they will be actuated by party motives. I expect every ministry to give consideration first to administrative efficiency and not to be actuated by any party motives. In this connexion I wish to make a few remarks regarding what my hon. Friend Mr. Basu Dev said about the Madras Corporation. My hon. Friend has no knowledge of the working of the Madras Corporation. I think he was one of those disappointed candidates in an election and if he were a member of the Corporation he would have known the useful work which the standing committees are doing. My hon. Friend Dr. Natesa Mudaliyar who has been the chairman of a standing committee for the last ten years will bear ample testimony to my statement. I can say that but for the standing committees the administration of the Madras Corporation would not have been as efficient as it is now. I was very much pleased to observe this morning when my hon. Friend Mr. Sami Venkatachalam Chetti moved an amendment that the Bill be referred back to the same Select Committee with instructions to amend the Bill so as to institute standing committees in municipalities. I may tell you for your information that the Commissioner under the new regime would not be able to do his work so easily as the standing committee is doing now. At present the standing committee is doing good and efficient work and only the most important work goes before the Council. Very often it has been found to be much more easy to do the work in the standing committee than in the Council. The meeting of the Madras Corporation standing committee is not just like a district board meeting, which meets once or twice. I am sorry that my hon. Friend Mr. Basu Dev should have indulged in such remarks about the

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standing committees of the Madras Corporation. It only shows his utter ignorance of the affairs of the Corporation although he has been living in the city of Madras for many years and trying to champion the cause of the labourers. I am sure he will himself realize that the Corporation does not deserve such remarks. I am sure that hon. Members of this House will not have that impression of the Madras Corporation which Mr. Basu Dev wanted to convey. I have great pleasure in supporting the amendment as I feel that commissioners should be appointed to all municipalities where the Government think necessary." 3-30 p.m.

* The hon. the PRESIDENT:—" The hon. Member Mr. Sami Venkatachalam Chetti will now move the amendment standing in his name so that both the amendments may be discussed together."

* Dr. P. SUBBARAYAN:—" That is a distinct amendment and we will have to vote on it separately. Even if the schedule remains, that amendment will be relevant. But if this amendment is carried, the necessity for the Bill itself will have to be considered. I am authorized by Mr. Ranganatha Mudaliyar, the mover of the Bill to say that if this amendment is carried, he will have to think twice before he proceeds further with the Bill."

* Mr. A. RANGANATHA MUDALIYAR:—" Sir, I thought that if the hon. Members of the House did not want this Bill to be proceeded with, they would have done well to have voted for the earlier motion and done with the Bill once and for all. But I am sorry to see that Mr. Basu Dev, holding the views that he does, should have tabled a motion of this sort. In the agenda circulated to us, Mr. Basu Dev has given notice of a motion to the effect that he wants a commissioner not merely for each of these 26 municipalities mentioned in the schedule, but also for every municipality in the Presidency. If that was his view, if that was his firm conviction, I fail to see how he lent himself to making such a motion as the one before the House, never mind who asked him to do it. If having a commissioner for each of the 26 municipalities is a step in the direction in which he wants us to proceed, the question that he is raising now will come only when the Schedule IX is taken into consideration. You will remember, Sir, that the hon. the Chief Minister said that he was not in favour of the dilatory motion tabled earlier as the question of adding to, or removing from, the list of municipalities in the schedule could be taken up for consideration when the schedule itself came for consideration before the House. With due deference to the hon. Members who are supporting this motion, I should say that this question can arise only when the schedule is taken up for consideration. But to omit the schedule altogether is to say: 'I do not want the Bill.' I am sorry that Mr. Basu Dev should have taken such a step, perhaps not fully knowing exactly the consequences of his action. I do not now wish to be side-tracked into the question of the appointment of standing committees in municipalities and so forth; they will all be considered in due course. I think, Sir, at this stage there is no reason whatever to delete Schedule IX altogether."

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• Mr. C. BASU DEV.—"I do press the amendment. In doing so I should like to say a word of personal explanation in reference to what the hon. Member from Bellary has said. (Hon. Members: 'Order, order. No right of reply.') Sir, the hon. Member from Bellary, Mr. Ranganatha Mudaliyar, made an uncharitable remark about me. He said that I had tabled an amendment asking for the appointment of an executive officer not merely for each of the 26 municipalities mentioned in the schedule but for all the municipalities in the Presidency and that my present motion was not consistent with that attitude, but was due to dictation by those who wanted to kill the Bill. It is true I wanted every municipality to have an executive officer but I also wanted to have a cadre of executive officers called the Service of Executive Officers in addition. Mr. Ranganatha Mudaliyar attributed a motive to me."

Mr. A. RANGANATHA MUDALIYAR:—"I did not attribute any motive . . . "

• The hon. the PRESIDENT:—"Order, order. I shall put the amendment to the vote of the House. The question is—

> 'Omit *clause* (c) (1) *and* omit *the words* "*not included in schedule IX*" *in clause* (c) (2) '."

The question was put to the House and declared lost. A poll was demanded and the House divided thus:—

Ayes.

1. The hon. Sir Mahomed Usman.
2. ,, Diwan Bahadur Sir M. Krishnan Nayar, *Kt.*
3. ,, Sir Archibald Campbell.
4. ,, Mr. H. G. Stokes.
5. ,, Diwan Bahadur S. Kumaraswami Reddiyar.
6. ,, Mr. P. T. Rajan.
7. ,, the Raja of Bobbili.
8. Mrs. K. Alamelumangathayaramma.
9. Mr. C. E. Jones.
10. ,, J. A. Thorne.
11. ,, H. M. Hood.
12. ,, R. Madanagopal Nayudu.
13. ,, S. H. Slater.
14. ,, E. Conran Smith.
15. ,, T. Sundara Rao Nayudu.
16. Khan Sahib Syed Tajuddin Sahib Bahadur.
17. Mr. M. D. T. Ranganatha Mudaliyar.
18. Rao Bahadur A. T. Pannirselvam.
19. ,, R. Srinivasan.
20. Mr. M. Devadasan.
21. Rao Sahib N. Siva Raj.
22. Subadar-Major S. A. Nanjappa Bahadur.
23. Rao Sahib V. I. Muniswami Pillai.
24. Mr. P. V. Rajagopala Pillai.
25. ,, P. Bayappa Reddi.
26. Rao Sahib V. Dharmalingam Pillai.
27. Mr. G. Lakshmana Reddi.
28. The Kumara Raja of Venkatagiri.
29. Mr. M. A. Muthiah Chettiyar.
30. ,, A. V. Bhanoji Rao.
31. Diwan Bahadur A. M. M. Murugappa Chettiyar.
32. Mr. J. A. Davis.
33. ,, H. M. Jagannatham.
34. Rao Sahib P. Subrahmanya Chetti.
35. ,, D. Krishnamurti.
36. The Zamindar of Kirlampudi.
37. Rao Sahib C. Jayaram Nayudu.
38. The Zamindar of Chemudu.
39. Rao Sahib D. V. Narasimhaswami.
40. Mr. A. Harischandrudu Nayudu.
41. ,, K. Kesavaramamurti.
42. S. M. K. Beyabani Sahib Bahadur.
43. Rao Bahadur C. Natesa Mudaliyar.
44. Diwan Bahadur S. Ellappa Chettiyar.
45. Rao Bahadur Sir A. P. Patro.
46. Mr. C. Basu Dev.
47. ,, R. Foulkes.
48. ,, Mahboob Ali Baig.
49. ,, Sami Venkatachalam Chetti.

Noes.

1. Dr. P. Subbarayan.
2. Mr. Yakub Hasan.
3. ,, K. R. Venkataramia Ayyar.
4. Rao Bahadur T. A. Ramalingam Chettiyar.
5. Mr. T. C. Srinivasa Ayyangar.

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Noes—cont.

6. Khan Bahadur Mahmud Schamnad Sahib Bahadur.
7. Mr. T. S. Ramaswami Ayyar.
8. ,, V. T. Arasu.
9. Rao Bahadur P. C. Muthu Chettiyar.
10. Khan Bahadur P. Khalif-ul-la Sahib Bahadur.
11. Mr. V. P. Narayanan Nambiyar.
12. ,, M. A. Manikkavelu Nayakar.
13. ,, G. Simhachalam Pantulu.
14. ,, Abdul Hameed Khan.
15. Ahmed Miran Sahib Bahadur.
16. Mr. K. A. Nachiyappa Gounder.
17. ,, U. C. Subrahmanya Bhatt.
18. ,, K. Singam Ayyangar.
19. ,, A. B. Shetty.
20. Diwan Bahadur B. Muniswami Nayudu.
21. Mr. K. P. Rama Menon.
22. Mr. M. S. Sheshta.
23. ,, G. R. Premayya.
24. Sriman M. G. Patnaik Mahasayo.
25. Diwan Bahadur M. Gopalaswami Mudaliyar.
26. Mr. C. Indriah.
27. ,, J. Kuppuswami Choudari.
28. ,, H. B. Ari Gowder.
29. ,, P. V. Krishnayya.
30. Rai Sahib C. Kolanda Reddi.
31. Mr. M. B. Rangaswami Reddiyar.
32. ,, K. M. Duraiswami Reddiyar.
33. Rao Bahadur R. K. Venugopal Nayudu.
34. Mr. A. Ranganatha Mudaliyar.
35. ,, C. R. Parthasarathi Ayyangar.
36. ,, W. K. M. Langley.
37. ,, P. Madhusoodhanan Thangal.
38. ,, C. Krishnan.

Ayes 49. *Noes*. 38.

The motion was carried.

* Mr. A. RANGANATHA MUDALIYAR:—" I beg to move, Sir,—

'that the further consideration of this Bill be postponed till to-morrow morning.'

" If I am permitted to do so, I should like to explain myself briefly.

" I hope, Sir, before to-morrow morning, if I am allowed to proceed with the Bill then, I may be able to ask for different instructions from the House. In the meanwhile I hope the leaders of various groups will consider the present situation and see if a satisfactory way is not to be found to proceed with the Bill as it was intended to be. I personally feel that the step taken by the Council now is a very very serious mistake. The Select Committee was composed of members from all sections of the House, the hon. the Raja of Bobbilli was there, the hon. the Leader of the Opposition was there and my hon. Friend Mr. B. Muniswami Nayudu who leads the party on the side was also there. I expected that a Bill of this sort supported by the leaders of the various parties would also receive the loyal support of the rank and file of the parties and be passed through this House unanimously. I was not for a moment prepared for the step taken by the Council now. I must say we are throwing ourselves open to serious criticism at the hands of the public when we allow a measure of this sort which had the support of the leaders of all the parties to be thrown out in this summary fashion. I do earnestly hope that before to-morrow morning the various leaders concerned will meet together and find an honourable method of setting ourselves right in this matter. With your permission, Sir, I beg to move that the further consideration of this Bill be adjourned till to-morrow morning."

* Dr. P. SUBBARAYAN:—" Sir, I second this motion for adjournment. As I have already explained, leaving out Schedule IX will amount to virtually killing the principle of the Bill. That was what

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I had in mind when I requested you not to put both the amendments together to the vote of the House. Under the circumstances, I think an opportunity should be given to the Party Leaders to confer together and see how the Bill can be resurrendered or whether it should be buried altogether."

* The hon. the PRESIDENT:—" The motion before the House is—
' that the further consideration of the Bill be postponed till to-morrow morning '."

* Mr. T. S. RAMASWAMI AYYAR:—" Sir, I wish to support the motion that the further consideration of this Bill be taken up to-morrow morning. When the Opposition did not press for a division on the question of the circulation of the Bill and agreed with the Government regarding the consideration of the Bill at once, I feel that they acted like the fly that allowed itself to be invited into the parlour of the spider. It was mentioned this morning that the Bill was not going to be considered as a party measure. The question of the appointment of executive officers for municipalities is one to be discussed and decided on its merits. By the deletion of this clause, it is difficult for the parties to see how the Bill is going to help to make the administration of the local bodies concerned more efficient in their administration. If the chairman was autocratic, the power now taken by the . . ."

Rao Bahadur Sir A. P. PATRO:—" Is the hon. Member speaking on the merits of the question or on the adjournment motion? "

Mr. T. S. RAMASWAMI AYYAR:—" I am not speaking on the merits of the question for the purpose of discussing it once more. All I wish to say is that in view of the sudden and unexpected change that has taken place in the course of the Bill, even the Members of the Select Committee who discussed the Bill and signed the report of the Select Committee are not able to understand exactly where they stand in regard to the Bill, not to speak of other Members who were not Members of the Select Committee. Members who have been taking an unbiased view of the question have to reconsider their position in regard to the Bill in view of the sudden change. Therefore I have great pleasure in supporting the motion that the further consideration of this Bill be postponed till to-morrow morning."

The hon. the RAJA OF BOBBILI:—" I have no objection to the motion for adjournment."

The question was put to the House and carried; and the further consideration of the Bill was adjourned till the next morning.

V.—THE VELLIYAKUNDAM IMPARTIBLE ESTATE BILL (BILL No. 35 OF 1932).

3-15 p.m. * Mr. M. A. MUTHIAH CHETTIYAR:—" Sir, I beg to move that the Velliyakundam Impartible Estate Bill [a] (Bill No. 35 of 1932) be taken into consideration."

Dr. P. SUBBARAYAN:—" I second it."

[a] Published in the *Fort St. George Gazette*, dated 22nd November 1932.

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* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I have to put certain considerations before the House to show that this Bill makes a considerable departure from the principles on which the Impartible Estates Act—which this Bill seeks to amend—was passed. The Impartible Estates Act was brought forward for the preservation of ancient zamindaris of this Presidency as is stated in the Statement of Objects and Reasons. A schedule of the Estates is appended to that Act. This Bill adds another Estate to the Estates in the Schedule. I should like, if I may, to quote from the remarks of Sir George Forbes when introducing the Madras Impartible Estates Bill, 1903. He made then these remarks:—

'The primary object of the Bill is to set at rest the law as to the succession to the ancient zamindaris in this Presidency, to define the powers of alienation qua the Estate which the proprietor possesses, and so to save, so far as that is practicable by any legal measure, both the Estates and the proprietary families from the consequences of the ruinous litigation which must necessarily follow from uncertainty as to the law. This is all the Government can see their way to do to maintain the ancient aristocracy of this part of India. No Government can contemplate the decadence and disappearance of so important a class of the community with equanimity, and as the hon. Mr. Thompson stated: "It is a matter which the Government regard as of high political expediency that these ancient Estates should not be dismembered." But motives of political expediency alone do not form the main justification of this measure. It is essentially as an act of justice to the class affected. Down to 1888 when the Allahabad case, so often referred to, was decided, the law in this Presidency as to zamindaris, I mean ancient zamindaris, was universally understood to be that they descended to a single successor and, speaking broadly, that the proprietor for the time being was incompetent to alienate any part of the zamindari except in circumstances in which Hindu Law allows alienation by the managing member of a Hindu family. That was the universal consciousness as to the law; and generally the people regulated themselves accordingly and transactions with the zamindars were conducted on that footing. The importance of the Allahabad decision was not recognized in Madras until the succeeding year when the High Court followed it in the Kangundi case. Very soon the zamindars awoke to its significance and, in the memorial of December 1890, petitioned the Government for their intervention. The present legislation is really the outcome of that memorial and is an attempt to restore the law to what it was always understood to be. In that memorial the zamindars made this bold averment, that in the whole past history of the zamindaris there has never been a single instance of a zamindari being alienated in toto from lawful heirs even as a solitary exception. Otherwise the zamindars could not possibly have descended almost in their entirety in the families of the proprietors except those sold partly or wholly for debts.

'The Estates with which this Bill primarily concerns itself are those which are known as "ancient zamindaris", that is, zamindaris which existed prior to the permanent settlement of 1802, which were in the occupation of families who were zamindari families under the former native administration and whom we found existing as such when the Government of the country passed into our hands.

'Every Estate in the Schedule attached to this Bill is, I believe, an Estate still remaining in a family which can trace its history unbroken for more than 100 years, and to a time when the tenure of the Estate was governed by the law and custom of the Muhammadan empire. They are Estates to which the words of the memorial of 1880 apply—Estates which have never been alienated in toto from the original family.

'If is from the character of that tenure that the incidents of both impartibility and inalienability must be traced. It is the ancient tenure that explains these special incidents.'

"I do not want to take up the time of the House by reading numerous extracts from the speeches made in connexion with the

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Impartible Estates Act; but I wish to quote from the remarks of His Excellency the President who stated:

'In the present Bill we have prescribed measures for preventing a form of the disease which we have to combat, namely, dismemberment and disintegration of ancient Estates and ancient families.' Later on he said, 'it is in my opinion a matter of the highest political expediency that the landed aristocracy of this country should be preserved and made a source of strength both to the Government and to the people. Why should I say both to the Government and the people? For the interests of both are identical and the same. I will rather say that it is for the good of the country that I consider it necessary to preserve the ancient landed aristocracy.'

"I have given these quotations to show that the aim of the Impartible Estates Act was not merely to preserve intact certain portions of land forming Estates but also to preserve the ancient landed aristocracy; this is the case not only with regard to Estates which were included originally in the Schedule but also to the other Estates since added to the Schedule as the persons to whom they belonged were members of the ancient landed aristocracy. I do not want to cast any reflection upon the person who owns the Estate in this case, but however worthy he may be, he is not a member of the ancient landed aristocracy.

"It may be argued that the Estate was at one time an Impartible Estate. The Act itself does not say that an Estate which is not mentioned in the Schedule cannot be regarded as impartible. It is the other way round; it lays down certain conditions applicable to Impartible Estates; then it says that certain Estates shall be deemed to be impartible so as to prevent any disputes in the courts as to whether they are impartible or not. Section 7 particularly provided that the Act shall cease to apply to Estates or part of Estates which may hereafter be lawfully alienated otherwise than by temporary transfer. The Impartible Estates Act, when it was passed, was recognised as a most unusual piece of legislation and it was strictly limited in its application. The present Bill seems to me still more unusual; for it attempts to put disabilities on the junior members of the family of the present owner of the Estate and to deprive them and their successors in future generations of their rights under the ordinary Hindu Law. It may be urged in the Statement of Objects and Reasons that this Estate has been impartible and inalienable. But it is many years since it passed from the hands of the original owners, and it has only recently been purchased by the present owner. When the Impartible Estates Act was under consideration, the then Advocate-General made this statement in reply to certain criticisms:

'I think what I have now said also answers what I can only style a debating society objection, namely, objection that this Bill is badly drafted because it does not take into account the Estates passing into the hands of Christians or Muhammadans. I cannot see how the Estates can pass into the hands of Christians or Muhammadans unless families of the present owners turn Christians or Muhammadans. That is an eventuality which is not sufficiently probable to necessitate legislating about. If they do turn Christians or Muhammadans there is no inconsistency with Christianity or Muhammadanism in their continuing to be bound by the same principles as to the enjoyment of and succession to their impartible Estates. Hon. Members seem to have lost sight altogether of the principle on which this legislation is based, namely, if an Estate or any portion

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of it is alienated and purchased by a Christian or Muhammadan, he will hold it not as an impartible property but as his own, governed by his personal law.'

"That opinion was endorsed by the Member of Government in charge of the Bill, Sir George Forbes. These remarks show, Sir, that according to their opinion an Estate ceased to be impartible when it passed from the hands of the original owners into the hands of persons governed by the ordinary Hindu Law. Therefore this Estate has long ceased to be an impartible Estate.

"Now, Sir, I hope I have shown that this Bill uses the Impartible Estates Act for purposes for which it was never intended. The Act was intended to preserve intact a limited number of Estates in the interests of the ancient landed aristocracy. If this Bill is passed, it will form a precedent for any landowner to come forward and ask for legislation to convert his land into an impartible property; that is to say, he will be able to deprive the junior members of his family for all generations of their rights. The measure is of a confiscatory nature. Sir, if it is the desire of Members of this House to establish impartible estates on a wide scale in this Presidency,—no doubt arguments can be brought forward in support of such a measure,—it seems to me that, instead of trying to make use of an Act for purposes for which it was never intended, the proper course would be to bring forward a comprehensive measure which would show on what conditions persons should be permitted to have their estates declared impartible estates either for a limited pediod or indefinitely.

"Having made these remarks, I shall follow the usual custom in regard to the amendments to the Impartible Estates Act, by leaving it to the House to decide whether this Estate should be added tc the Schedule or no. The Official Members will not vote either one way or the other."

4 p.m. * Mr. V. P. NARAYANAN NAMBIYAR:—"Sir, I rise to support the motion before the House. The history of the zamin as detailed in the Statement of Objects and Reasons shows that the zamin is an ancient one and that it has always been treated as an impartible Estate. We are further told that this Estate would have been dealt with by the Madras Impartible Estates Act of 1904 but for the existence of a litigation then. The present owner of the Estate who came into possession of the zamin by virtue of a sale desires that it should be made impartible. Then, the whole question is whether making this zamin impartible will affect adversely any of the interests concerned. Perhaps the opposite view is that the younger sons and the sons who Mr. Muthiah Chettiyar hopes still to be born to him (laughter) will be deprived of the Estate, but in the Statement of Objects and Reasons it is stated:

'There are in addition huge outstandings owing to him and trade assets. There are thus ample properties wherewith his younger sons now existing and who may hereafter be born, can be adequately provided for without any diminution of the shares to which otherwise they may be entitled.'

"So, it is clear that all interests are very well safeguarded. No interests will suffer. Therefore, I have very great pleasure in supporting the motion before the House."

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* Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, I desire only to add a few words to what has been mentioned by my Friend Mr. Nambiyar. I was really surprised at the opposition which the hon. Mr. Campbell put forward, although it is satisfactory to note that having stated one aspect of the subject to the Council he left the matter open to be voted upon by the House, the Government not taking part in voting one way or the other.

" Two main points which he urged are that the junior members' interests are not sufficiently protected and secondly that this Bill if passed into law will leave a wide door open for similar Bills being brought forward. On the merits, it is proper to add that the present owner of the Velliyakundam Estate owns another Estate which was also impartible but which we are not called upon to deal with here. There are also immense properties owned by the gentleman otherwise. The class of legislation which has followed in the wake of the Impartible Estates Act of 1904 by further enactments adding to the list affected many Estates which were in law on the date of those further enactments, considered partible. For very valid reasons, the Council considered that those Estates also should be put in the schedule to the Impartible Estates Act. There is no real objection to our adding this Estate to that Schedule. In regard to the junior members, there is no difficulty because immense properties exist, and so far none of the members have come forward with any objection. Surely, if there were any difficulties on the merits, they would have been mentioned. The main argument raised against this is that this is against the policy of the original Act. I remember when the first Bill of 1902 was introduced the Estate of Kannivadi in Madura was in it. That was the first temporary Act; then there was a second temporary Act in 1903 and finally the permanent Act of 1904 came into effect. At that time Kannivadi Estate passed out of the original aristocratic family into the hands of the Madras Commercial and Land Mortgage Bank; it was on the objection of Mr. Norton that Kannivadi was excluded. All the same it was originally in the Act. There were similar cases also of other Estates which passed out of the hands of the original owners or members of the original owners' family. I do not think it is necessary for me to go into any details about them. The hon. the Revenue Member himself has stated that if the Council was willing to add this to the schedule, he would not object and he has stated, as he is bound to do, the other side of the question and there it is. I heartily support the motion made by my hon. Friend the Kumararaja of Chettinad."

* Rao Bahadur C. NATESA MUDALIYAR:—" Sir, I support the motion made by the Kumararaja of Chettinad. I do not think the hon. Revenue Member opposed the motion; he simply placed the facts before us and said that if the Council wanted to create any number of impartible Estates, he would have no objection. Moreover, he said that the Impartible Estates Act was for keeping up the zamin in the families of the ancient zamindars. We are now having any number of impartible Estates created by this Council, but none of the owners are from the ancient

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zamindars of that zamin. Most of them only happen to be the members of other zamindari families and they are not the legal descendants of the ancient aristocrats. In experience we find what happens is that the Impartible Estates Act is utilized for the purpose of keeping the zamin in tact, and not the zamin and the lineal descendants in tact because that was impossible. They became so poor in course of time that they sold the zamins away. Here there is a gentleman who has bought a zamin and it is our duty to see that the zamin is kept in tact. Apart from this, why should we not create impartible zamindaris, so that they may be a power both to the Government and to the people as the Revenue Member said. In England a common man becomes a Lord and then he establishes an aristocracy. His descendants also become Lords. Why should we not here also create Lords of Muthiah Chettiyar and his descendants. With these few words, Sir, I support the motion."

* Sriman M. G. PATNAIK Mahasayo:—" Sir, I wish to add one thing. The hon. the Revenue Member quoted the speech made at the time of the introduction of the Impartible Estates Act; but I remember Mr. Forbes' speech in introducing the Estates Land Act. He said with regard to zamindars, that even before the British acquired sovereignty in this Presidency, they ceased to be ancient zamindars, and that they had no proprietary right at all. Whatever was the case before the Muhammadan rule, under the Muhammadan rule they lost it. It is said that under the Muhammadan rule they were either service tenure holders, or farmers of revenue. That meant that others could be appointed in their place as service tenure holders. The speech referred to by the hon. the Revenue Member was I think made in 1903, but Mr. Forbes' speech, I refer to, was in 1908. Therefore, we have to accept Mr. Forbes' version in the later speech. It was I think a blunder on the part of the Privy Council to say that these Estates were by custom impartible. There could not be any 'custom' because most of these people were either service tenure holders or mere farmers of revenue. The speech made in 1903 is in conflict with that made in 1908 and so it cannot be accepted. Therefore I say that the objection urged by the hon. the Revenue Member has no force at all. If I get the book I have sent for, I shall read the relevant portions. I support the motion before the House."

* The hon. the PRESIDENT:—" The question is—

'that the Velliyakundam Impartible Estate Bill (Bill No. 33 of 1932) be taken into consideration'."

The motion was carried.

* The hon. the PRESIDENT:—" I shall now put the Bill clause by clause to the vote of the House."

Clause 1.

* The hon. the PRESIDENT:—" I now put clause 1 to the vote of the House. In line 2 of this clause, the year '1933' may be substituted for '1932'."

Clause 1 was carried with '1932' altered into '1933.'

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Clauses 2 and 3.

• The hon. the PRESIDENT:—" Clauses 2 and 3 are for the vote of the House."

Clauses 2 and 3 were put and carried.

Preamble.

The Preamble was put and carried.

Mr. M. A. MUTHIAH CHETTIYAR:—" Sir, I now move—

'*that the Bill be passed into law*'."

Mr. V. P. NARAYANAN NAMBIYAR:—" I second the motion."

The motion was put and carried and the Bill was passed into law.

VI.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920 (BILL No. 20 OF 1932).

S. M. K. BEYABANI SAHIB Bahadur:—" Sir, I move—

'*that the Bill* [a] *to amend the Madras Local Boards Act, 1920 (Bill No. 20 of 1932) be taken into consideration*'."

AHMED MEERAN SAHIB Bahadur:—" I second it."

• Mr. V. T. ARASU:—" Sir, I rise to oppose the motion of Mr. Beyabani Sahib. One of the important provisions of the Bill, perhaps the only provision, is that in all municipal councils 15 per cent of the seats should be reserved for Muslims. Hon. Members are aware that there is already a provision in the District Municipalities Act providing for the reservation of a certain number of seats for Mussalmans very much more than what they are entitled to when their voting strength is taken into account. When that is the case, I fail to see why this Bill should be introduced to make it a statutory obligation on the part of the Government to reserve 15 per cent of the seats for Mussalmans, whatever their voting strength may be. There are instances of municipalities where Mussalmans do not form even one or two per cent of the population. If in those cases the Government are forced to reserve 15 per cent of the seats for Mussalmans it is only natural to expect other communities like the Christians and the Depressed Classes also to come forward with similar claims. If the claims of those communities are also conceded, then the majority community, viz., the Hindus, will be reduced to an abject minority in point of representation. It is not fair to do so. Though some weightage may be given to backward communities like the Mussalmans, Christians and the Depressed Classes,—and that weightage is now being enjoyed by those communities—the weightage should not be such as to reduce the Hindu community's representative strength. That will be the effect of the amendment. Therefore, I oppose this Bill."

Mr. V. P. NARAYANAN NAMBIYAR:—" Mr. President, Sir, I move an amendment to the effect—

'*that the Bill be referred to a Select Committee.*'

" I shall submit the names of the Members in due course."

[a] Published in the *Fort St. George Gazette*, dated 30th August 1932.

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* Mr. SAMI VENKATACHALAM CHETTI:—"I second the motion of Mr. Narayanan Nambiyar. We have not had the advantage of hearing what the Government have got to say in this matter. I am afraid the Bill has been taken in a lighthearted manner. In the absence of any considered opinion from the Government Benches, I have got to support the motion that it may be referred to a Select Committee, so that more serious thought may be bestowed on it."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I rise to oppose the motion to refer this Bill to a Select Committee for the reason that at the time when the District Municipalities Bill was considered in this House we went fully into the merits of the case of the representation of the minorities in the various municipalities, and finally we came to the conclusion that 25 per cent of the membership of the municipalities might be set aside for the minority communities. This was considered only as late as 1930, and in 1932 we are asked to deal with a proposition to increase the percentage to 15 for Muslims. If this is accepted the various other minority communities will have to suffer. And further this being the only provision in the Bill I think it is not necessary that it should go before a Select Committee; and so I oppose it." 4-15 p.m.

Mr. ABDUL HAMEED KHAN:—"Sir, speaking on the main resolution I should like to point out that it would be wrong for any of my colleagues to suspect that the Muslims in this province are regarding themselves as a separate entity and that they are grabbing seats in the municipalities and power in the State. That is not the object. When the Bill of 1930, which is now an Act, was being considered by the Select Committee, some of us brought up this matter before the Select Committee and said that it would not be possible for the Muslims to get proper representation in a large number of municipalities, where there is a large population of Muslims, if there is a combined percentage of 25 to be allotted for all minority communities, among whom are included the Muslims. Recently elections were held and we know as a matter of fact that in many municipalities, where the Muslims should have got a larger number of seats they could not get, for the one reason, that the very fact of reservation prejudices the minds of voters other than Muslims against them. They come to the conclusion that in so far as a certain number of seats has been reserved for them their candidate should not be supported whenever and wherever they stand for general seats. That is the kind of prejudice with which non-Muslim voters looked upon Muslim candidates in the recent elections. The result is that in most municipalities, where it was possible for a larger number of Muslims to be returned they were not actually able to do so.

"The other reason is that in the very allocation of seats in the wards, in the formation of wards and the reservation of seats for minorities, I mean for the Muslims in these wards, they have not considered one very important factor, and that is, they have not reserved seats for Muslims in wards where they predominate. The result is that even though there

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is no reservation the Muslims would have been returned. So reservation in a ward where the members of that community could be returned without reservation is no reservation whatsoever.

"And then if reservation was made in areas where there are not a large number of Muslims, it would be possible for them to get a larger number of seats than they actually secured in the various municipalities. These are certainly some of the disadvantages under which the Muslim community in this province is labouring on account of their being clubbed together with the other minority communities in the 25 per cent that has been allotted for the minorities, including women.

"And then, of course, I must say, Sir, in this province if at all there are any considerations to be made with regard to the classification of the communities, it is my opinion that they should not be classed in the way in which it has been done by the Government. If we have any communities at all in this province, they are only three in number, viz., Hindus, Muslims and Christians. I cannot understand why more communities have been added on to the minorities class. Is it to take away the legitimate right of the three major communities? That is how the Muslims and the Christians have lost more seats than they actually should have done. If 25 per cent of the seats had been allotted to the Muslims and the Christians I am sure they would have got a sufficient number more proportionate to their population. But as a result of the allotment of 25 per cent to minorities, what has happened is that the Muslims could get only one seat in very very important municipalities, and not more than two in the major ones. Such being the case, they have seen how the Act has been worked in the recent elections, and so it is up to us to see, by this amending Bill, that the Muslims get their due share.

"A point was made by Mr. Arasu, which came upon me as a surprise. He said that there may be municipalities where the Muslims may not be sufficient in number to necessitate their election to 15 per cent of the seats in them. I fear he has not gone into the statistics of the various municipalities. There is hardly any municipality where the Muslim population is less than 4 or 5 or even 6 per cent. Our population in this province is less than 7 per cent, and in the Government of India Act we have been allotted 15 per cent of the seats in the Legislative Council, and it is on that basis that Mr. Bevabani Sahib has come out with this Bill, so that even in the municipalities a similar percentage may be reserved for Muslims. We do not ask for separate electorate, we have come under the joint electorate, and if we, Muslims, are not given 15 per cent we will not get due representation. I hope my hon. Colleagues will consider this matter favourably, and I am sure Government will come forward with their support to this Bill, especially when a member belonging to that party has tabled that motion."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, if I oppose this motion it is not to be understood that I am not in sympathy with the demand of the Muslims for more adequate representation. In fact, as one representing a minority community in this Council I should myself ordinarily

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have been in sympathy with any resolution which has, for its object, a more adequate and proper representation of all minorities than they are now able to obtain. But the resolution as it is now worded, I am constrained to oppose for this reason that, if it be accepted, out of the 25 per cent which is set apart for all minorities together, the Muslims would take away 15 per cent, and the rest of them, the Christians, the Depressed Classes, the Europeans and the Anglo-Indians and the women representatives will all together get only 10 per cent. Why? On the proportion on which the Muslims demand 15 per cent we should be legitimately entitled to 8 per cent, as we the Christian community constitute, slightly over 50 per cent over the Muslim population. The result will be that just 2 per cent is left for the Depressed Classes, the Europeans, the Anglo-Indians and the women, all put together.

"Therefore it is that I feel that with the main Act standing as it is, with just 25 per cent and not more being reserved, if the Muslims are to be given 15 per cent, the resolution would be altogether unworkable. If the present Bill had taken into account the interests not merely of the Muslims but also of all others who are now classified as minorities, I for one would have given it my most hearty support.

"Mr. Hameed Khan, in supporting this motion, made it a matter for grievance that seats are generally reserved in wards or constituencies which are predominantly Muslim, or Indian Christian, or whatever community for which the seat is reserved, and which would in any case return a member of the community; my friend ignores this fact; there is no constituency which is preserved exclusively for reserved seats. The reserved seat is always an adjunct to the general seat. And if a constituency is predominantly Muslim or Indian Christian, that constituency has got an opportunity of returning two members of the community instead of one."

Mr. ABDUL HAMEED KHAN:—"Not two Muslims."

Rao Bahadur A. T. PANNIRSELVAM:—"They may get two Muslims if the constituency is predominantly Muslim; and in the same way, the other communities as well.

"If, on the other hand, my friend had made this resolution an occasion for pointing out to the Government the insufficient or inadequate manner in which provision has been made for representation to the minorities there would be a better case for him. But with the Bill standing as it does, taking into account the interests of only one community, and that, if I may say so, the major minority community leaving out the minor minority communities, on whose support they could ordinarily depend, I feel that I cannot lend my support to this Bill. After all, the clauses of this Bill are so few in number that they could be easily disposed of by this Council and even if my friend, Mr. Sami Venkatachalam Chetti, was really serious in his motion for reference to a Select Committee, which I think he was not, there is no case for referring the Bill to the Select Committee."

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4-30 p.m. * Mr. YAKUB HASAN:—" Mr. President, Sir, the motion before the House is to refer the Bill to the Select Committee. So we need not here discuss whether the particular percentage demanded is correct or not. The Select Committee may pass any other proportion if it does not agree to this. We will leave it entirely to the Select Committee to consider the question of reservation as a whole, so that the Act may also be amended, and instead of the 25 per cent reservation that has been allotted in the Act, some other percentage may be put in. The Act may suitably be altered, and the Indian Christian community need not be alarmed at the percentage of reservation that is now claimed in the Bill by Muslims and they need not feel that any injustice will be done to their community. I am sure a decision acceptable to the Indian Christian community as well as to other minority communities will be arrived at by the Select Committee."

* The hon. the RAJA OF BOBBILI:—" Sir, I regret I have to oppose this Bill, but at the same time I wish to make my position clear. Neither myself nor the Government are opposed to communal representation. According to the Bill it is proposed to reserve 15 per cent of the seats to Muslims. Their population, I believe, is just a little over 6 per cent. The communal award gives them 13·5 or 13·6 per cent. Another clause in the Bill is to the effect that representation of Muslims should be 15 per cent or more according to the population whichever is higher. In view of the fact that Reforms are coming and the communal award will come into force, and in view of the fact that within the scope of the present amending Bill it may not be possible to make necessary adjustments as regards the representation of minorities, I would request the Mover of this Bill to withdraw it so that at a later date when it will be possible to bring in a comprehensive Bill allotting proper representation to all the minorities according to the communal award. I am afraid no useful purpose will be served by referring this Bill to Select Committee as the original allotment of reserved seats in the Act is only 25 per cent. Unless many sections of the Bill are touched and recast, I am afraid it will not be possible to give effect to the representation of a single community. With these words I oppose the Bill."

Mr. BASHEER AHMED SAYEED:—" Mr. President, Sir, I rise to support the amendment that is before the House. It is true, Sir, that the Act was amended only so recently as 1930. But even at the time the amendment was made, the Muslim Members of the Select Committee did bring to the notice of the Select Committee the fact that the principles adopted in the Bill were pernicious and would not give satisfaction to the Muslim community. On that occasion, Sir, in a minute of dissent, myself and my hon. Colleague the Muslim Member from Ramnad wrote thus, and I would like, with your permission, to read extracts from that minute of dissent which forms part of the published record:

'We are sorry that we cannot agree with our hon. Colleagues in the manner in which they have proceeded to provide for the representation of minorities in the municipal councils. In this country the recognition of minorities can be, and has hitherto been, only on the broad basis of the divergence in religious

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beliefs and practices and difference in culture. In fact even this guiding principle has not always been kept in view. But the classification and the enumeration of minorities as recommended by the Committee seems to be neither on the basis of religion nor on any other approved or consistent principle. We can quite concede the population of a municipality being divided into Hindu, Muslim and Christian, but we cannot conceive of the Hindu population being split up into caste Hindus, depressed classes and non-depressed classes, or the Christians into Europeans, Anglo-Indians, Indian Christians and depressed classes converted to Christianity or the Muslims into Shiyas, Sunnis, and depressed Muslims of which last type we have a large number, for instance, in the Tirukkoyilur and Kallakurichi taluks of the South Arcot district. If it is contended that from a national point of view, the division of the civic population according to broad religious differences is pernicious enough, to extend such a division to further and lower grades of the community is quite absurd and unwarranted and in our opinion this will certainly lead to the perpetuation of communalism, instead of minimising the separatist tendency or fostering the feeling of joint civic responsibility among the component parts of a single civic population. In so far as the depressed classes are part and parcel of the wider Hindu community, if the Hindu community feels it just and fair that the depressed classes should have representation in municipal councils, it should be a matter of mutual adjustment between the caste Hindus and the depressed classes and this can be easily achieved by certain conventions being established amongst themselves in connexion with the elections to the various wards in a given municipality. So also with regard to the Europeans, Anglo-Indians and Indian Christians, neither of whom do possess any essential differences in religion, but form only different sections of the same community, called the Christian brotherhood. Nor does it appear to us that any of these sections of the Christian community have any interest which may be considered as special or peculiar to the one as distinguished from the other. In this place, we regret we have to deprecate the enthusiasm and zeal with which several of our colleagues strove to ensure reservation for the European community little remembering at the time their own self-respect or the treatment which is being meted out to their brethren in the colonies or elsewhere outside India. We therefore are of opinion that, having regard to the exigencies of the present political situation and the deep and unmistakable differences existing between the communities, the division of any civic population should be only as Hindus, Muslims and Christians, and that any further division of these communities will be only artificial and detrimental not only to the healthy growth of the population but also to the interests of the country at large'."

Mr. M. A. MUTHIAH CHETTIYAR:—"Is not this extract too long, Sir? He is reading from a previous speech of his, I think."

*The hon. the PRESIDENT:—"May I know how that extract is relevant to the question now under discussion?"

Mr. BASHEER AHMED SAYEED:—"It is not a speech, Sir, it is a minute of dissent. I am reading this to show what exactly was the reason for our opposition to the clause relating to the introduction of the 25 per cent representation. And that is exactly the reason why I feel my hon. Colleague from Kurnool has brought forward this amendment in order to do away with the 25 per cent total reservation and reserve 15 per cent for the Muslim community or according to population whichever is greater. That being the case, I think that the reasons then adduced could be as valid as they were, even to-day."

*The hon. the PRESIDENT:—"The hon. Member may give his reasons extempore without going on reading from his own utterances."

Mr. BASHEER AHMED SAYEED:—"I say, Sir, that in the Bill the power of nomination which existed in the old Act was taken away. That power of nomination was much abused and it was abused by persons who were concerned directly with it or those who wanted to take advantage of it. Then, Sir, the substitute that was thought of in the amending Bill was

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much worse. This 25 per cent reservation came in just to replace the power of nomination by the Government. And what was the result? Representations had to be made by the various communities to reserve a certain number of seats to each community in a certain ward or a certain municipality. In some others there could not be any reservation at all. Deputations had to wait upon the powers that be; or Members of the Legislative Council representing the various communities had to approach Members of Government to see that reservations were made in certain municipalities or local boards for certain minority communities. It was, I say, Sir, worse than the power of nomination vesting in the Government. So this 25 per cent reservation is a legacy of the old power of nomination vested in the Government. When they wanted to do away with nomination altogether, it was logical that even this 25 per cent reservation should be done away with. Instead of that, this is continued. What is the result to-day? In several municipalities we see only a few Muslim members where in the ordinary course there would be a larger number of Muslims. The reason why that has happened is this. The mentality created as a result of this reservation was very pernicious and proved detrimental to the interests of the minorities. The fact that there was reservation was working in the mind of every voter. Every man used to be obsessed by the idea that there is reservation for this minority and that minority, and they said 'we are not bound to vote for them.' So reservation was all that they could get and it is all that they could hope for. In that mentality many municipalities and local boards could not secure an adequate number of some minority communities. It is only that defect that is now sought to be remedied, as I understand, by the present Bill. That being so, it is no use saying that it would work detrimentally against other communities if once reservation of 15 per cent is conceded to Muslims. Then you have to divide the whole lot among the communities according to population basis or any other agreed formula. I do not think for a moment that the position of the depressed classes or the Christians as a whole has been made better by the present amended Act. I would rather choose that they also give up reservation which creates nearly the same reservation mentality which is helpful to none of the minority communities. If there is no reservation, let us contest the seats on our programmes and on their merits. On the other hand, the fact that there was some reservation for some minorities in any particular area works seriously against the members of those communities and they could not secure what they are legitimately entitled to. What has happened as a result of the working of this reservation is that in very many cases it has not worked to the benefit of the minority communities. It is in that view that this Bill is sought to be introduced. And if this Bill goes to the select committee, I have no hesitation in saying that it will confine the measure only to one minority community but will consider the claims of all those minority communities who may be affected by the introduction of such a Bill. I therefore urge upon this Council that this Bill must go before the select committee, and then, if the select committee thinks it necessary and desirable, let them make suitable amendments as may be possible. I may remind hon. Members of the House

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that Select Committees have very often altered the very fundamental principles of Bills referred to them. It might be open to the Committee to do likewise in this matter. I do not think any loss will be sustained by the Council by a reference of this Bill to the Select Committee. I therefore support this motion for reference to the Select Committee."

Mr. V. P. NARAYANAN NAMBIYAR:—"Even after the convincing speech of my hon. Friend, Mr. Basheer Ahmed Sayeed, I am constrained to withdraw my motion for reference to the Select Committee."

* The hon. the PRESIDENT:—"I will have to put the withdrawal to the vote of the House."

Mr. YAKUB HASAN:—"Then, Sir, will you allow me to make a motion for referring the Bill to a Select Committee?"

* The hon. the PRESIDENT:—"The motion has already been made and discussed, and therefore it is not necessary for anybody to move it. That is exactly why I am putting the withdrawal of the motion before the House. The question is—

'*that leave be granted to withdraw the motion for a Select Committee*'."

The motion was carried.

* The hon. the PRESIDENT:—"I will now put the main motion to the vote of the House. The question is—

'*that the Bill to amend the Madras Local Boards Act of* 1920, *Bill No.* 20 *of* 1932, *be taken into consideration*'."

The motion was declared lost. A poll was demanded and the House divided thus:—

Ayes.

1 Mr. S. M. K. Boyabani Sahib Bahadur.
2 ,, Yakub Hasan.
3 Mr. Abdul Hameed Khan.
4 Mr. Basheer Ahmed Sayeed.
5 Ahmed Meeran Sahib Bahadur.

Noes.

4–45 p.m.

1 The hon. Sir Mahomed Usman.
2 ,, Diwan Bahadur Sir M. Krishnan Nayar.
3 ,, Sir Archibald Campbell.
4 ,, Mr. H. G. Stokes.
5 ,, Diwan Bahadur S. Kumaraswami Reddiyar.
6 ,, Mr. P. T. Rajan.
7 ,, the Raja of Bobbili.
8 Mrs. K. Alamelumangathayaramma.
9 Mr. C. E. Jones.
10 ,, J. A. Thorne.
11 ,, H. M. Hood.
12 ,, R. Madanagopal Nayudu.
13 ,, S. H. Slater.
14 ,, E. Conran Smith.
15 ,, T. Sundara Rao Nayudu.
16 ,, M. D. T. Ranganatha Mudaliyar.
17 Rao Bahadur A. T. Pannirselvam.
18 ,, R. Srinivasan.
19 Mr. M. Devadasan.
20 Rao Sahib N. Siva Raj.
21 Subadar-Major S. A. Nanjappa Bahadur.
22 Rao Sahib V. I. Muniswami Pillai.
23 Mr. P. V. Rajagopala Pillai.
24 ,, P. Bayappa Reddi.
25 ,, P. K. Ramachandra Padayachi.
26 ,, G. Lakshmana Reddi.
27 Rao Sahib V. Dharmalingam Pillai.
28 Mr. M. A. Muthiah Chettiar.
29 ,, A. V. Bhanoji Rao.
30 Diwan Bahadur A. M. M. Murugappa Chettiyar.
31 Mr. J. A. Davis.
32 ,, H. M. Jagannatham.
33 Rao Sahib D. Krishnamurti.
34 ,, P. Subrahmanyam Chetti.
35 The Zamindar of Kirlampudi.
36 Rao Sahib D. V. Narasimhaswami.
37 Pandit Ganala Ramamurti.
38 Mr. A. Harischandrudu.

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Nocs—cont.

39 Mr. K. Kesavaramamurti.
40 Dr. P. Subbarayan.
41 Mr. K. R. Venkatarama Ayyar.
42 Rao Bahadur T. A. Ramalingam Chettiyar.
43 Mr. T. C. Srinivasa Ayyangar.
44 ,, Sami Venkatachalam Chetti.
45 Khan Bahadur Mahmud Schamnad Sahib Bahadur.
46 Mr. V. T. Arasu.
47 ,, V. P. Narayanan Nambiyar.
48 ,, M. A. Manikkavelu Nayakar.
49 ,, K. A. Nachiyappa Gounder.
50 Diwan Bahadur B. Muniswami Nayudu.
51 Mr. K. P. Raman Menon.
52 ,, G. R. Premayya.
53 Sriman M. G. Patnaik Mahasayo.
54 Mr. J. Kuppuswami.
55 ,, H. B. Ari Gowder.
56 ,, P. V. Krishnayya Choudari.
57 Rai Sahib C. Kolanda Reddi.
58 Mr. A. Ranganatha Mudaliyar.
59 Diwan Bahadur S. Ellappa Chettiyar.
60 Mr. C. Basu Dev.
61 ,, C. R. Parthasarathi Ayyangar.

Neutral.

1 Mr. A. B. Shetty.
2 ,, U. C. Subrahmanya Bhatt.
3 ,, M. B. Rangaswami Reddi.
4 Mr. K. M. Duraiswami Reddiyar.
5 Rao Bahadur R. K. Venugopal Nayudu.

Ayes 5. *Nocs* 61. *Neutral* 5.

The motion was lost.

VII.—A BILL TO AMEND THE MADRAS CITY MUNICIPAL ACT, 1919.

Mr. SAMI VENKATACHALAM CHETTI:—" I move for leave to introduce a Bill to amend the Madras City Municipal Act, 1919."

Dr. P. SUBBARAYAN:—" I second it."

The motion was put and carried.

Mr. SAMI VENKATACHALAM CHETTI:—" I introduce the Bill."

VIII.—RESOLUTION ON A MATTER OF GENERAL PUBLIC INTEREST.

ESTABLISHMENT OF A BROADCASTING SERVICE FOR THIS PRESIDENCY

Mr. A. B. SHETTY:—" Mr. President, Sir, I move the following resolution that stands in my name:—

'*This Council recommends to the Government to take early steps to establish a broadcasting service for this Presidency.*'

" Sir, broadcasting is fast developing as a means of informing, instructing and entertaining the people, both literate and illiterate, in a multitude of ways and it is coming to be increasingly used for this purpose in most of the civilized countries in the world. In the United States of America, Sir, ten years ago there was hardly a broadcasting station. In 1931 we are told the number of broadcasting stations was close to 700 with 12 to 15 million receiving sets capable of reaching an audience of forty millions. The number of broadcasting stations as well as the number of radio receivers must be much larger to-day. We are told that this broadcasting is transforming their politics, music and literature. Direct democracy can no longer be considered impossible when political leaders can by means of broadcasting reach an audience of sixty millions to-day in the United States of America. For mass education also it is

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being largely used to-day in America. In Orange country in California they have constructed a broadcasting station for a University of the air. They have put up radio sets in many of the public schools in the United States and their Universities are broadcasting even extension courses. In the United States of America broadcasting is under a few gigantic private corporations who are carrying it on as a business for their own private gain whereas in England broadcasting is a Government monopoly. As a consequence of this the radio programme in England is said to be much superior to what they have in the United States of America. But in England they are behind America in the educative use they make of the radio. In America practically all the Universities are regularly using the radio for transmitting lessons. In England, the British Broadcasting Corporation's school programmes have been a remarkable success. I believe, Sir, in the last general election in England broadcasting was made use of by the political leaders of all parties. In 1928 in America the republicans and democrats are said to have spent two million dollars on the radio for carrying on their presidential election campaign. In our own country the Madras Corporation has taken the lead in introducing broadcasting for the purpose of affording entertainments for the people in the evenings at the beach. The Madras Corporation has submitted, I understand, a scheme to the Government for extending its broadcasting service. They propose to instal big loud speakers in all the important parks of the City and they propose also to put up in the schools of the Corporation Indoor Type Radio Receivers suitable for audiences of 150 to 200 and to broadcast during school hours stories, lessons, etc., and also to train the children to do drill to the tune of radio music. It is also proposed to give the public admission to the school compound or the school hall in the evenings for listening to lectures and music.

" Broadcasting, whether for entertainment or instruction, has great potentialities. In addition to its being useful in the class room it can be used as an effective instrument for adult or mass education. It is useful for giving information to the people on various matters such as market and share prices, weather conditions and conditions of roads and bridges during the monsoon. It will also be helpful to the police in tracking criminals. Above all it is most valuable for combating mass illiteracy. The Franchise Committee have recommended that broadcasting should be used for helping the illiterate voter. The effectiveness of broadcasting is not lessened by illiteracy. As the Committee says, illiteracy can be broken down only by universal primary education and until it has been introduced it will be possible to do something to help the illiterate voter through the growth of broadcasting. They say they have ascertained from the British Broadcasting Corporation that there are no technical impediments in the way of constructing transmitting stations in each linguistic area and that it would be possible for every village to acquire for a moderate sum a loud speaker suitable for 200 or 300 people listening out of doors. I understand, Sir, the Madras branch of the European Association has submitted a scheme to the Government in

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regard to this matter. Some time back they called for schemes from experts and the Electrical Engineer of the Madras Corporation has submitted a scheme to the Association which was published in the *Madras Mail*. The Electrical Engineer's scheme shows that one short wave transmitting station centrally situated with five long wave relaying stations situated at five important centres, viz., Bezwada, Madura, Calicut, Madras and Bangalore, together with a thousand receivers suitable for audiences of 200 and 300 will require a capital expenditure of five lakhs and the maintenance expense for the scheme including payment to artists will be 3½ to 4 lakhs. I believe Government can very well take up such a scheme now in connexion with the new reforms that are coming for the political education of the new electorate. Now that the Government expect to have a large surplus, money can be found for this scheme. The claim of the ryots for relief by reduction in the assessment must be met. Money has to be provided for for some important Part II schemes. Even after making such provision Government can spare the amount necessary for this purpose. The Finance Member seems to have every sympathy for the proposal made in my resolution. If he translates this into action, the future generations will ever remember him for inaugurating this scheme and giving the lead to other provinces in this country."

Mr. V. P. NARAYANAN NAMBIYAR:—" I second it."

At this stage the House rose for the day to meet again at 11 a.m. the next day.

IX.—PAPERS LAID ON THE TABLE OF THE HOUSE.

1. [a] *G.O. No.* 361, *Law* (*Legislative*), *dated the* 6*th October* 1932, *amending certain regulations relating to elections to the Legislative Council consequent on the amalgamation of the Madras and Chingleput district.*

2. [a] *G.O. No.* 4317, *L. & M., dated the* 3*rd November* 1932, *fixing the date of retirement of members of the Phiringipuram panchayat* (*Guntur*).

3. [a] *G.O. No.* 4393, *L. & M., dated the* 8*th November* 1932, *fixing the date of retirement of certain district and taluk boards.*

4. [b] *List of posts on Rs.* 500 *per mensem and above created during the quarter ending September* 1932.

5. [a] *G.O. No.* 4509, *L. & M., dated the* 14*th November* 1932, *fixing the date of retirement of members of the district and taluk boards in the Cuddapah and South Arcot districts.*

6. [c] *U.O. Note No.* 24975-4, *Public* (*General*), *dated the* 11*th November* 1932, *with reference to questions Nos.* 152 *and* 153 *answered on the* 5*th August* 1932.

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[a] Published in the *Fort St. George Gazette.*
[b] Printed as Appendix XII on page 150 infra.
[c] Printed as Appendix XIII on page 151 infra.

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7. [a] *G.O. No.* 1354, *Development, dated the* 28*th October* 1932, *recording the Audit Report on the Accounts of the Industrial Engineering Workshop for the year ending* 31*st March* 1932.

8. [b] *G.O. No.* 4608, *L. & M., dated the* 22*nd November* 1932, *fixing the date of retirement of members of Guntur and Coimbatore District Boards and of certain taluk boards.*

9. [c] *G.O. No.* 2399, *Revenue, dated the* 30*th November* 1932, *regarding the results of the enquiry into the allegations made by Swami Sahajanandam, M.L.C., against M.R.Ry. C. Duraiswami Ayyangar, Revenue Divisional Officer, Chidambaram.*

10. [a] *Proceedings of the Finance Committee, dated the* 17*th October* 1932.

11. [b] *G.O. No.* 4741, *L. & M., dated the* 29*th November* 1932, *fixing the date of retirement of members of certain district and taluk boards in Chittoor, Salem and Kurnool districts.*

12. [b] *G.O. No.* 4854, *L. & M., dated the* 6*th December* 1932, *fixing the date of retirement of members of district and taluk boards in the West Godavari and Ramnad districts.*

13. [b] *G.O. No.* 4991, *L. & M., dated the* 13*th December* 1932, *fixing the date of retirement of members of certain local boards.*

14. [b] *G.O. No.* 5082, *L. & M., dated the* 20*th December* 1932, *notifying the date of retirement of members of certain district and taluk boards.*

15. [b] *G.O. No.* 5089, *L. & M., dated the* 20*th December* 1932, *exempting five motor cars in the personal use of His Excellency the Governor of Madras from payment of tax under the Madras Motor Vehicles Taxation Act,* 1931.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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[a] Printed separately. [b] Published in the *Fort St. George Gazette.*
[c] Printed as Appendix XIV on pages 151–153 infra.

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APPENDIX I.

[Vide answer to question No. 430 asked by Rao Sahib V. Dharmalingam Pillai at the meeting of the Legislative Council held on the 23rd January 1933, page 24 supra.]

Letter from P. V. George, Esq., B.A., B.E., Executive Engineer, Chingleput division, dated the 15th November 1932, No. 1425-S.E.

[Tanks—Palar anicut system—Chingleput district—Conjeeveram taluk—Injambakam village—Peria eri and Chitteri.]

The construction of masonry surplus works for the Injambakam Peria eri and Chitteri tanks was undertaken and completed in 1901 or early 1902. While the work was in progress, the ryots holding lands under the tanks complained to the Collector and to the Public Works Department that the F.T.Ls. as then fixed by the masonry surplus works were too low and should be raised by about 1½ feet. This was investigated by the Public Works Department Overseer and Tahsildar and as a result of the report of the former, the then Executive Engineer (1902) considered that the F.T.L. of the Peria eri should be raised by 1·42 feet and that of the Chitteri by 1·50 and informed the Collector accordingly. An estimate to give effect to the proposals for Peria eri was prepared and submitted to the Superintending Engineer. The Superintending Engineer returned it with remarks and called for further particulars. In reply to this the Executive Engineer (1904) disagreed with the proposals and reported that the raising of the F.T.Ls. as originally proposed in 1902, was unnecessary and objectionable and recommended that the proposals should be dropped. The Collector was also informed of this recommendation. The question of raising the F.T.Ls. was thus finally dropped. It however appears that while this correspondence was in progress, the Overseer in charge of the work had already raised the F.T.L. of the Chitteri without the sanction of a competent authority or the approval of the Collector. As however the works had been done, no orders were evidently issued to demolish the raised height of the weir. The F.T.L. of the Peria eri was however not raised. Subsequently in 1905, a suit notice was sent to the Collector by the ryots under the tank for forcing him to raise the F.T.L. of the Peria eri. On receipt of a report from the Executive Engineer, the Collector decided not to do so and recorded the suit notice.

It will therefore be seen that there was no decision or sanction by the competent authority in 1902 or afterwards to raise the F.T.L. of either of the tanks. The proposal of the then Executive Engineer to do so was not accepted by his successor and the Superintending Engineer did not sanction it. The Collector also approved of the proposal not to raise the F.T.L., that the raising of the F.T.L. of the Chitteri was before the receipt of any sanction and was unauthorized and the subordinate who carried out the work exceeded his powers in doing so.

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There are no papers to show that action was at any time taken by the Public Works Department to remove any ring bunds or turf bunds put up by the ryots. Whether the Revenue Department officers took any such action is not known. From some old papers of 1903, 1904, it is seen that the then overseer allowed a small turf bund to be raised at the surplus work for the sole purpose of holding up the water in the Peria eri to levels higher than F.T.L. to enable him to take contour levels at the higher proposed levels. Presumably the bund was removed after the contours were located.

The reasons for not approving the proposal to raise the F.T.Ls. were that there was no evidence to prove that the sanctioned F.T.Ls. were lower than what existed previously, that there would be considerable foreshore submersion at the higher levels proposed, and that the available capacity was ample for the ayacut.

APPENDIX II.

[Vide answer to question No. 433 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 23rd January 1933, page 25 supra.]

(1)

G.O. No. 1302, Public (Special), dated the 27th September 1930.

Government have already directed that candidates for appointment as clerks or typists in Government offices throughout the Presidency should be selected on the results of a competitive examination to be conducted by the Madras Services Commission. The Commission has now submitted proposals for the exemption of certain classes of persons from undergoing the competitive examination prior to their appointment or re-appointment as clerks or typists. The Government have considered the Commission's proposals and proceed to pass the following orders:—

(1) Persons who are acting or have acted as clerks or typists in Government offices in the Presidency and who have on or before 1st January 1931 put in—

(*a*) one year's continuous service on duty as such, or

(*b*) two years' total service on duty as such will be regarded as having been selected for admission as clerks or typists in the department or office in which they are or were last employed and will be eligible for re-appointment in such department or office if they are ousted after the introduction of the scheme of competitive examination, provided that they were duly qualified at the time of their appointment to the post in which they were allowed to act or were exempted by competent authority in regard to any qualifications not possessed by them and provided that their service has been satisfactory. They will be considered to be or to have been on probation in the department or office concerned and will be eligible for appointment to the ministerial service as vacancies arise provided they complete their probationary period satisfactorily.

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(2) Persons who have been approved by the Staff Selection Board for appointment as clerks or typists whether employed or not will not be required to undergo the competitive examination but will continue to be eligible for appointment as clerks and typists so far as educational qualifications are concerned.

2. The Madras Services Commission will be requested to be good enough to prepare lists of acting clerks or typists or persons who have acted as clerks or typists to whom the orders in clause (1) of paragraph 1 above would apply. For this purpose it is suggested that the Commission should call by notification for applications for inclusion in such lists from all such persons; applications should be submitted through the heads of offices or departments concerned by the 31st January 1931.* Heads of offices or departments should certify the correctness of the service claimed by the persons concerned up to 31st December 1930. The Commission is requested to send copies of or extracts from the lists when finally settled to the appointing authorities concerned. The decision of the Madras Services Commission in any particular case will be final and no appeal to Government will be admissible. When an appointing authority appoints to the service any person in the list or terminates the probation of any such person on the ground of unfitness for Government service he will inform the Commission at once.

(By order of the Governor in Council)

C. B. COTTERELL,
Acting Chief Secretary.

To the Chairman and Members of the Madras Services Commission.
To all Heads of departments including Collectors and District Judges.
To the Honourable the Chief Justice (with C.L.).
" Departments of the Secretariat (All Sections).
" Secretary, Madras Services Commission.
" Accountant-General, Madras.

(2)

G.O. Ms. No. 451, Public (Services), dated the 28th April 1931.

READ—the following:—

G.O. No. 1302, Public, dated 27th September 1930.

Order—Ms. No. 451, *Public (Services), dated the* 28*th April* 1931.

Representations have been made to the Government that a strict application of the age-bar to certain candidates for the examination held recently for clerkships by the Madras Services Commission has been unfair to those already employed as acting clerks and typists. The Government, therefore, direct that those mufassal clerks and typists who, because their age exceeded 25 years on the 1st April 1931, did not apply or were prevented from sitting for the recent examination for clerkships, shall be regarded as having commenced their probation from the date of their first appointment, acting and temporary—

(i) if such appointment was made by competent authority before the 1st October 1930.

* Since extended to the 31st March 1931.

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(ii) if such clerks and typists were duly qualified at the time of their appointment or exempted by competent authority in regard to any qualifications not possessed by them, and

(iii) if their service was satisfactory.

2. Applications for claims under the orders in paragraph 1 above must be made before the 1st July 1931 through the head of the office or department in which the applicants are or were employed, to the Madras Services Commission who will decide in each case whether or not the claim preferred is valid.

(By order of the Governor in Council)

C. W. E. COTTON,
Chief Secretary.

To the Chairman and Members of the Madras Services Commission.
" the Secretary, Madras Services Commission.
" all Heads of Departments including Collectors and District Judges.
" the Hon'ble the Chief Justice (with C.L.).
" the Department of the Secretariat (all sections).
" the Accountant-General, Madras.

APPENDIX III.

[Vide answer to question No. 434 asked by Khan Bahadur Yahya Ali Sahib Bahadur at the meeting of the Legislative Council, held on the 23rd January 1933, page 26 *supra*.]

(1)

G.O. No. 1589, Public (Services), 9th December 1932.

READ—the following paper:—

G.O. No. 1140, *Public* (*Services*), *dated the* 1*st September* 1932.

Government have in consultation with the Retrenchment Committee reviewed the policy of granting special pay to certain subordinates for qualifications in typewriting and shorthand. They now pass the following orders in the matter:

2. *Typewriting.*—In G.O. No. 130, Public, dated the 15th February 1928, Government directed that the special pay of Rs. 10 admissible to typists, typewriting clerks and stenographers who have qualified or who qualify by the advanced test or higher grade examination in typewriting should cease to be admissible to persons who were not already in receipt thereof. The Retrenchment Committee have considered this order and have recommended that persons who were drawing the special pay should be permitted to continue to draw it as personal pay. Government accept this recommendation.

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3. *Shorthand.*—Under G.O. No. 50, Finance, dated the 16th January 1925, a special pay of Rs. 15 or 25 per mensem, may, subject to the sanction of Government in each case, be granted to clerks, shorthand writers and typists who possess the lower or higher qualification, respectively, and who are actually engaged in shorthand work, whether in addition to their ordinary duties or not. This matter has been reconsidered as there are several points in the system as it has grown up, in respect of which definite orders are necessary.

(i) *Admissibility of special pay for qualification by the lower grade.*—The Retrenchment Committee have considered that qualification by the lower grade is not worth paying an allowance for. Government accept this recommendation and direct that the special pay of Rs. 15 per mensem for qualification by the lower grade shall cease to be admissible. This decision will not apply to persons already in receipt of the pay.

(ii) *Admissibility of special pay during vacation or when not engaged on shorthand work.*—Government direct that the special pay shall not be admissible to any person unless in the opinion of the head of the office he continues to be employed in a post which requires the possession of stenographic qualifications for the discharge of its duties and unless also he is regularly employed on shorthand work. Special pay will, however, be admissible during vacation to such person, belonging to a vacation department, even though no shorthand work is done during such vacation.

(iii) *Periodical test.*—The Retrenchment Committee have recommended that the continuance of the grant of the special pay should be dependent upon the production of satisfactory evidence to show that the holder had requalified himself according to the latest requirements. Government agree with the Committee that a periodical test in shorthand is necessary but consider that it need be passed only once in three years. The test will be a special test conducted by the Madras Services Commission for the purpose and no fee will be levied for admission to it. This decision will apply to persons already in receipt of the allowance whatever it be and they will be required to requalify within three years of the date of this order and every three years thereafter.

(iv) *Classes of officials eligible for the grant of special pay.*—Government consider that it is a waste of power and of public money to employ an upper division clerk or a head clerk or a superintendent or a manager or any section head on stenographer's work and to grant him the special pay. They, therefore, direct that the special pay shall cease to be admissible with effect from the date of these orders to persons other than lower division clerks, steno-typists and typists who are at present in receipt of it and shall henceforth be granted wherever necessary and admissible, only to lower division clerks, steno-typists and typists and that these steno-typists, typists and clerks when promoted to the upper division or to the post of head clerk or superintendent or manager or a section head shall cease to be eligible for it,

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subject, however, to the condition that any loss of emoluments involved is made good by the grant of personal pay under Fundamental Rule 37, which will be absorbed in future increments. This rule will, however, not apply to the personal clerks attached to the Hon'ble Members of Government and the Hon'ble Ministers and to the clerks and steno-typists employed in the offices of the Private Secretary to His Excellency the Governor and the Military Secretary to His Excellency the Governor so long as they do stenographic work.

(v) *Continuance of special pay granted at higher rates.*—The number of persons who are drawing special pay at the old rate of Rs. 40 per mensem must be small and will in course of time disappear. Government therefore permit these persons to retain their special pay at the rate of Rs. 40 per mensem.

(vi) *Limit of grants in the several offices.*—Government wish to re-examine the number of persons to whom the grant of special pay should be admissible in each office. Heads of departments are accordingly requested to scrutinize at once the cases of grants of special pay in the several offices under their control with a view to restrict them to the absolute minimum requirements and to make a report to Government in the administrative department concerned justifying in detail the number considered by them necessary for each office. The administrative departments of the Secretariat will consider the report and transmit them with their recommendation to Public (Services) Department.

(By order of the Governor in Council)

G. T. H. Bracken,
Acting Chief Secretary.

To all Departments of the Secretariat (all sections).
,, all Heads of Departments (including Collectors and District Judges).
,, the Accountant-General, Madras.

Order—No. 1589, *Public (Services), dated 9th December* 1932.

In paragraph 3 (i) of G.O. No. 1140, Public (Services), dated the 1st September 1932, it was stated that the decision abolishing the special pay of Rs. 15 for the lower shorthand qualification would not apply to persons already in receipt of the special pay. The persons saved are those who were actually in receipt of the allowance on the 31st August 1932.

2. In paragraph 3 (iv) of the Government Order it was ordered that the special pay for shorthand should cease to be admissible, with effect from the 1st September 1932, to persons other than lower division clerks, steno-typists and typists who were then in receipt of it and should subsequently be granted, wherever necessary and admissible, only to lower division clerks, steno-typists and typists and that these clerks, steno-typists and typists when promoted to be upper division clerk, head clerk,

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superintendent, manager or section head should cease to be eligible for it, subject, however, to the condition that any loss of emoluments involved is made good by the grant of personal pay under Fundamental Rule 37, which will be absorbed in future increments. In modification of these orders, Government now direct that such upper division clerks, head clerks, superintendents, managers or section heads, as were actually in receipt of the special pay on the 31st August 1932 shall, subject to the condition that their total emoluments do not exceed the maximum of the basic scale of pay applicable to them on the 1st September 1932, continue to draw that special pay after that date, if they are otherwise entitled to it under the Government Order, as personal pay under Fundamental Rule 37, which will be absorbed in future increments. Similarly, a lower division clerk, steno-typist or typist, who is in receipt of the special pay and who is promoted to be upper division clerk, head clerk, superintendent, manager or section head, shall cease to be eligible for the special pay, but any loss of emoluments involved will, subject to the condition that his total emoluments do not exceed the maximum of the basic scale of pay of the new post, be made good by the grant of personal pay under Fundamental Rule 37, which will be absorbed in future increments.

3. It has been suggested to Government that the personal or camp clerks of heads of departments should unconditionally be eligible for the special pay whatever may be their rank, but Government are unable to accept this suggestion.

(By order of the Governor in Council)

G. T. H. BRACKEN,
Chief Secretary.

To all Departments of the Secretariat (all sections).
,, all Heads of Departments.
,, the Accountant-General, Madras.

(2)

G.O. No. 255, Financial, dated 1st May 1916.

The annexures to these proceedings show the deputation and local allowances entered in the statements received from the Accountant-General and which the Government have decided to treat as *remunerative*.

(True extract)

L. DAVIDSON,
Acting Chief Secretary.

To the Accountant-General.
,, Heads of Departments under the Chief Secretary, Public and Judicial Departments.
Copy to the Departments of the Secretariat.

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ANNEXURE.

ANNEXURE II TO G.O. No. 255, FINANCIAL, DATED 8TH MAY 1916.

List of local allowances which have been treated as remunerative.

Non-Gazetted officers.

Locality or department.	Appointment in respect of which local allowances are granted.	Amount of local allowance.	Authority under which granted.	Purpose for which granted.
(1)	(2)	(3)	(4)	(5)
*	*	*	*	*
	In the offices of District Collectors.			
		Rs.		
12. Kistna ..	1 typist	10	G.O. No. 875, Revenue, dated 21st March 1914.	
13. Chingleput.	1 clerk	10	G.O. No. 872, Revenue, dated 26th March 1913.	
14. South Arcot.	1 clerk	10	G.O. No. 91, Revenue, dated 7th January 1914.	Shorthand allowance.
15. Tinnevelly.	1 clerk or typist.	10	G.O. No. 1658, Revenue, dated 9th June 1914.	
16. Malabar ..	1 typist	10	G.O. No. 2349, Revenue, dated 5th August 1913.	
	General Administration.			
27. Madras ..	3 clerks attached to Chief Secretariat.	If advance grade. 40	G.O. No. 449, Financial, dated 14th October 1910.	
	1 clerk attached to His Excellency the Governor.	If intermediate grade. 20	G.O. No. 92, Financial, dated 22nd February 1911.	
	3 clerks attached to the three Hon'ble Members.	If elementary grade. 15	G.O. No. 202, Financial, dated 28th March 1912. G.O. No. 432, Financial, dated 25th June 1914. G.O. No. 460, Financial, dated 6th July 1914.	
28. Do. ..	2 clerks attached to Revenue Secretariat office.	If advance grade. 40	G.O. No. 59, Financial, dated 31st January 1916.	Shorthand allowance.
		If intermediate grade. 20		
		If elementary grade. 15		
29. Do. ..	2 clerks attached to Local and Municipal Secretariat.	If advance grade. 40	G.O. No. 529, Financial, dated 23rd August 1912.	
		If intermediate grade. 20		
		If elementary grade. 15		

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List of local allowances which have been treated as remunerative—*cont.*

Locality or department.	Appointment in respect of which local allowances are granted.	Amount of local allowance.	Authority under which granted.	Purpose for which granted.
(1)	(2)	(3)	(4)	(5)
		Rs.		
	General Administration—*cont.*			
30. Madras ..	1 clerk attached to Revenue Boards—Court of Wards Branch.	10	G.O. No. 546, Revenue, dated 26th February 1915.	Shorthand allowance.
	Judicial Department (Law and Justice).			
31. Madras ..	1 typist of the office of the Secretary, Rule Committee.	15	G.O. No. 904, Judicial, dated 7th July 1909.	
32. Do. ..	1 clerk-typist of the office of the Government Pleader.	20	G.O. No. 829, Judicial, dated 20th May 1911.	
33. Do. ..	Shorthand writers attached to the District and Sessions Courts and Courts of Assistant Sessions Judges.	Advance grade. 40 Intermediate grade. 30 Elementary grade. 15	G.O. R. No. 354, Financial, dated 5th April 1894. G.O. No. 1145, Judicial, dated 12th May 1894. G.O. No. 1646, Judicial, dated 8th December 1908. G.O. No. 2247, Judicial, dated 8th November 1913. (Paragraph 87 of the Madras Treasury Manual).	Shorthand allowance.
	Ecclesiastical Department.			
83. Madras ..	1 clerk attached to the office of the Lord Bishop of Madras.	10	G.O. No. 30, Ecclesiastical, dated 5th March 1915.	Shorthand allowance.
	Medical Department.			
89. Madras ..	1 clerk in the Surgeon-General's office.	10	G.O. No. 430, Public, dated 6th April 1914.	Shorthand allowance.
	Political Department.			
95. Travancore.	1 clerk attached to the office of the Resident in Travancore and Cochin.	15	G.O. No. 318, Political, dated 3rd July 1911.	Shorthand allowance.
	Agricultural and Veterinary Departments.			
96. Madras ..	1 clerk under the Director of Agriculture.	10	G.O. No. 3140, Revenue, dated 3rd November 1914.	Shorthand allowance.

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APPENDIX IV.

[Vide answer to question No. 436 asked by Sriman M. G. Patnaik Mahasayo at the meeting of the Legislative Council held on the 23rd January 1933, page 27 supra.]

Chicacole Taluk Board.

Heads of account.	1929–30.				1930–31.				1931–32.			
	Ordinary.		Capital.		Ordinary.		Capital.		Ordinary.		Capital.	
	Receipts.	Charges.	Receipts.	Charges.	Receipts.	Charges.	Receipts.	Charges.	Receipts.	Charges.	Receipts.	Charges.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
A. General account (excluding endowments and special Government grants)	75,301	67,293	6,388	6,388	78,477	81,037	6,461	6,461	60,153	78,818	3,973	3,973
C. Elementary Education Account	1,28,521	1,30,655	1,774	1,774	1,54,102	1,53,504	2,595	2,595	1,26,155	1,26,767	7,335	7,335
G. Deposits and Advances Account	..	..	2,002	1,805	..	..	2,136	5,398	..	..	5,649	5,143
H. Endowments Account..	..	..	..	..	..	..	..	..	..	..	..	..
I. Special Government Grants Account	..	..	4,369	4,369	..	..	3,672	3,672	..	..	..	..
Total ..	2,03,822	1,97,948	15,433	14,336	2,32,579	2,34,541	14,864	18,126	1,86,308	2,05,585	16,957	16,451

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Ghumsur Taluk Board.

Heads of account.	1929-30.				1930-31.				1931-32.			
	Ordinary.		Capital.		Ordinary.		Capital.		Ordinary.		Capital.	
	Receipts.	Charges.	Receipts.	Charges.	Receipts.	Charges.	Receipts.	Charges.	Receipts.	Charges.	Receipts.	Charges.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Berhampur Taluk Board.												
A. General account (excluding endowments and special Government grants)	35,993	44,630	12,036	12,036	38,198	40,938	9,895	10,990	31,602	38,194	90	115
C. Elementary Education Account	62,587	67,017	1,303	1,303	62,899	69,031	1,584	1,584	68,354	69,414	197	197
G. Deposits and Advances Account	..	..	477	1,232	..	..	1,632	1,222	..	..	1,149	1,022
H. Endowments Account..	..	..	7,487	7,487	..	..	..	..	..	..	..	..
I. Special Government Grants Account	..	..	..	..	..	..	5,923	5,923	..	..	1,307	..
Total ..	98,580	1,11,677	21,303	22,118	1,01,097	1,10,029	19,034	19,719	99,956	1,07,608	2,743	1,334
A. General account (excluding endowments and special Government grants)	39,136	47,174	5,824	5,824	60,329	49,602	5,419	8,938	25,563	44,681	5,634	1,587
C. Elementary Education Account	88,913	87,592	..	..	1,05,562	1,05,285	90	90	88,593	79,169	..	..
G. Deposits and Advances Account	..	..	4,112	3,418	..	..	5,403	3,761	..	..	862	4,243
H. Endowments Account..	405	398	..	..	405	350	..	..	..	..	..	..
I. Special Government Grants Account	1,592	1,592	4,306	4,823	..	..	1,197	1,197	405	350	..	..
Total ..	1,30,046	1,36,756	14,242	14,065	1,66,296	1,55,237	12,109	13,986	1,14,561	1,24,200	6,496	5,830

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Chatrapur Taluk Board.

A. General account (excluding endowments and special Government grants)	36,021	34,309	8,191	8,191	42,085	38,995	16,655	16,655	30,414	41,252	7,501	7,501
C. Elementary Education Account	62,203	62,412	2,504	2,504	68,252	63,575	371	371	62,419	80,678	4,900	4,900
G. Deposits and Advances Account	..	..	944	1,074	..	..	660	1,908	..	..	1,119	1,635
H. Endowments Account ..	..	..	..	..	..	..	..	..	4	..	..	..
I. Special Government Grants Account	816	816	7,422	7,422	..	..	..	..	..	..	1,000	1,000
Total ..	99,040	97,537	19,061	19,191	1,10,337	1,02,570	17,686	18,934	92,837	1,21,930	14,520	15,036

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APPENDIX V.

[Vide answer to question No. 446 asked by Mr. Basheer Ahmed Sayeed at the meeting of the Legislative Council held on the 23rd January 1933, page 34 supra.]

(1)

Office of the Commissioner for Government Examinations,

C. No. 2163/32. Madras, 1932.

From

Secretary, S.S.L.C. Board, Madras,

To

Sir
Madam

I have the honour, by direction, to inform you that a committee consisting of the following persons has been constituted to advise the Director of Public Instruction and Commissioner for Government Examinations in the matter of the prescription of text-books in for the S.S.L.C. Examination:—

2. Text-books for *detailed* study which should contain selections from prose and poetry will be published by the authorities concerned. The matter for the prose and poetry will be prepared in each case by a member of the Committee appointed as editor for the purpose.

3. The Convener of the Committee will invite suggestions from the other members on receipt of which he may consolidate them and circulate the consolidated suggestions among the members with a view to coming to a decision regarding the passages and the books to be recommended. These recommendations will be finally considered by the Committee at a meeting to be held at a place and time to be decided by the convener in consultation with the Secretary to the Commissioner for Government Examinations. The meeting should, however, be held before the 1st October next and the recommendations should reach the Secretary to the Commissioner for Government Examinations by *that date at latest*. The books which contain the selections with the portions marked in them should be sent to the Secretary for reference and return.

4. A copy of the instructions for the guidance of editors, members of committees, etc., is enclosed.

5. The editors and members of the Committee will besides complying with the request of the convener by sending in their suggestions early, attend meetings of the Committee and otherwise help in enabling the Committee to recommend suitable selections and books.

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6. A statement showing the quantity to be studied for the S.S.L.C. Examination is appended at the end of the instructions for the guidance of members of advisory committees in Indian languages.

7. I am further to state that as it is likely that a few candidates may bring a language under Group C of the S.S.L.C. Examination (revised scheme), which is other than the second language taken under Group A, it is requested that a book containing both prose and poetry may be recommended for detailed study and one or two books for non-detailed study.

In recommending text-books under Group C for the S.S.L.C. Examination (revised scheme) the following instruction may be kindly borne in mind:—

"The standard of language in Group C shall be the same as that for Group A."

8. Members of the Committee will be paid travelling allowance under the Madras Travelling Allowance Rules for attending meetings of the Committee.

The Editor of the Text-book will be remunerated for his services: S.S.L.C.—Rs. 250.

9. I am to request you to be good enough to communicate your consent to serve on the Committee.

I have the honour to be,

Sir,
Madam,

Your most obedient servant,

Secretary.

ENCLOSURE.

S.S.L.C. EXAMINATION.

INSTRUCTIONS FOR THE GUIDANCE OF MEMBERS OF ADVISORY COMMITTEE IN INDIAN LANGUAGES.

Selections: General.

1. In the selections the vocabulary used, should, as far as possible, be like that of the present day, i.e., should be free, as far as possible, from archaic forms and expressions.

2. The selections should be free from obscenity or any objectionable thoughts.

3. From the selections should be excluded all passages that deal with debatable philosophic theories or religious doctrines, or mere grammar, or are in substance purely technical.

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4. A statement containing full particulars as to the books and editions of them, etc., from which selections have been made, reference by pages and lines, and the subject-matter (in a few words) of each of the selections should be submitted.

If the members are not unanimous, the member who differs may record his minute of dissent.

5. The selections (with annotations) will be published (annually) under the authority of the Director of Public Instruction or the Commissioner for Government Examinations. They should not ordinarily be taken from *copyright books;* if they are so taken, special attention should be drawn to this fact to enable me to obtain the previous consent of the owners of the copyright. Full particulars as to the names of owners, edition, names of publishers from whom the books may be procured, etc., should be furnished.

Selections: Poetry.

1. The poetical selections should be such as can be studied easily and got up thoroughly, in a year by pupils of the VI Form.

2. It is not proposed to publish text-books for Group C in the case of the S.S.L.C. Public Examination. If a need arises, the Committee will in due course be requested to make recommendations in this regard.

3. Not fewer than five authors should be represented generally in the selections.

Editing: General.

1. The selections should be arranged in chronological order.

2. The books should be as attractive as possible in the matter of types, etc.

Annotations, etc.

1. The annotations of the selections from poetry should be on modern lines, similar to the annotation of English poetry for English schoolboys.

2. A general introduction to the selections is necessary.

3. Each passage may be provided with a brief introduction which, by providing a short account of the author, the context, a brief analysis of the content, and the character of the piece, should stimulate intelligent study and develop taste.

4. A reference to the original poem should appear in the note to each selection directly under the title.

5. *Notes.*—(*a*) The notes on all the selections should be printed together, i.e., all the selections should come first and *all* the notes after. The brief introduction to each piece referred to in 3 above, should precede the notes on the passages.

(*b*) Notes of an etymological nature should be only such as are necessary to make clear the meanings of words.

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(*c*) Allusions necessary in the elucidation of a passage (including historical and geographical references) might be clearly explained.

(*d*) The meaning of words given should be such as are not correctly and precisely given in a dictionary. A glossary of such difficult or unusual words, if necessary, be provided. A general glossary which will obviate the intelligent use of a dictionary, should not be provided.

6. In the printing of texts, any aids such as punctuation or the splitting up of words (to avoid difficult Sandhis), etc., may be employed. The object should be to make the reading of the passage easy and to make pupils understand them with minimum of labour.

Text-books for Non-detailed study.

1. The text-books chosen for non-detailed study should be in modern prose and serve as direct models for composition. They should be selected from among the books approved for school reading by the Madras Text-Book Committee.

2. Copies of the books received in this office for consideration will be sent to the members of the Committee. Each member is expected to make a study of all the books sent and recommend those suitable for prescription as text-books for non-detailed study.

3. Books written by authors whose books were prescribed in recent years, more especially, in the past five years, should ordinarily be avoided.

4. The books recommended must not all be on Hindu mythology.

Statement showing the quantity to be studied.

Examination.		Detailed study. Poetry.	Detailed study. Prose.	Non-detailed study.
Secondary School-Leaving Certificate Public examination.	Vernaculars ..	800 lines ..	80 pages.	175 pages (*a*).
	Sanskrit ..	400 verses or 800 lines.	20 pages.	

NOTE.—Two hundred lines of poetry in the case of vernacular languages and 100 lines in the case of Sanskrit from the portions selected should be prescribed for committing to memory.

(*a*) Each page should contain about 200 words.

(By order)

Office of the Commissioner for Government Examinations,

Madras, 1932. *Secretary.*

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(2)

G.O. No. 1484, Home (Education), dated 11th December 1920.

The rules for the working of the Madras Text-Book Committee as now revised are printed as an annexure to these proceedings and will be published in the *Fort St. George Gazette*.

(True extract)

R. RAMACHANDRA RAO,
Secretary to Government.

To the Director of Public Instruction.
" Superintendent, Government Press, for publication of rules.
" Publicity Officer.
Gazette.

ANNEXURE.

RULES RELATING TO THE TEXT-BOOK COMMITTEE.

A—Rules for the Educational Department.

1. Except with the express sanction of the Director of Public Instruction, managers of schools shall be debarred from receiving grants-in-aid, if they use any text-book which is not included in the authorized list of text-books.

2. No school shall enjoy the privilege of recognition by the Educational Department in which text-books disapproved by the Director are in use.

3. If the manager or the headmaster of a recognized school wishes to adopt a text-book which is not included in the authorized list, the Director will give every facility for referring the question of such adoption to the Text-Book Committee, in order that the book may be definitely placed on the prescribed list or definitely rejected within six months of its receipt. If in any case the Text-Book Committee is unable to make an early recommendation, the Director may issue provisional orders on the subject.

4. Under the powers delegated to him by Government, the Director retains on behalf of Government the right of prescribing text-books in particular subjects for use in recognized schools. As soon as possible after each of the half-yearly meetings of the Text-Book Committee held under rule 14, the Director shall publish in two issues of the *Fort St. George Gazette* a list of text-books approved by the committee and authorized by him or by Government for use in the several subjects and standards.

5. Once in every five years a committee may be appointed by the Director to examine the list of approved books with a view to recommending the removal from the list of such books as are no longer required. A consolidated list of such approved text-books shall be published by him in the *Fort St. George Gazette*.

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6. Government officers should not retain any interest in the sale of books written by them and will receive only a definite lump sum as remuneration from the publishing firm or any other party. Retention of the copyright may, at the discretion of the Director or the Government as the case may demand, be allowed in cases where the book in question is used (*a*) in countries other than India or (*b*) in India after the retirement of the officer who wrote it.

7. The Director shall, in his annual reports, describe the manner in which these rules and those for the guidance of the Text-Book Committee which follow, have been carried out in practice during the preceding year.

B—Rules for the Text-Book Committee.

8. The Madras Text-Book Committee has been appointed for the following purposes:—

(*a*) To take into consideration such books as may be submitted to it by the Director and to advise him in regard to their suitability as text-books for the several classes and forms in recognized schools, the list in each subject and for each class or form being as varied and complete as possible, so that managers of schools may have a wide field in which to exercise the freedom of choice vested in them.

(*b*) To advise the Educational Department as to the steps to be taken for the preparation and publication of new text-books when necessary.

(*c*) To help in forming under control of the Director—

(i) an educational library containing copies of all text-books approved from time to time by the department, copies of text-books approved and prescribed in other provinces of India and in other countries and copies of works on the theory, the practice and the history of education; and

(ii) an educational museum containing plans and models of school buildings and specimens of maps, diagrams, apparatus and appliances suitable for schools.

9. The committee shall consist of not more than forty members exclusive of the president and it shall be so constituted as to secure, firstly, that the proportion of non-official members to the representatives of Government shall not be unduly large; and secondly, that different interests shall be properly represented.

10. The members of the committee shall be appointed by the Director who may, at any time and without assigning reasons, remove any member. The members shall hold office for three years but shall be eligible for reappointment. A member leaving the Presidency for an absence exceeding six months shall be considered to have permanently vacated his seat. Vacancies not exceeding six months in duration shall, when necessary, be filled up temporarily.

11. The Director shall be *ex officio* President, and one of the members shall be Secretary.

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12. The committee shall have power to appoint sub-committees for the purpose of dealing with different subjects and languages and to consult specialists who are not members of the committee. Any member appointed to fill a temporary vacancy on the committee shall *ipso facto* become a member of the sub-committee to which the absent member belongs. Every book referred to the committee by the Director shall be referred by it to the appropriate sub-committee for examination and report, and a list of the books under consideration shall be circulated to all the members of the Text-Book Committee before the committee meets.

13. The chairman of each sub-committee shall be appointed by the committee with the limitation that in the case of the sub-committee for vernaculars, an Inspector of the department shall, wherever possible, be chairman.

NOTE.—The above rules are subject to interim appointments to sub-committees and chairmanships of them being made when necessary by the Director.

14. The Committee shall ordinarily meet twice a year, on the second Wednesday in March and the second Wednesday in October. The president shall have power to convene special meetings as occasion arises or on the requisition in writing of not less than four members. Sub-committees shall meet at such times as their respective chairmen may consider necessary.

15. Seven members of the committee shall form a quorum. The quorum for a sub-committee shall be not less than half the members of such committee, who are resident in Madras.

16. The meetings of the committee and of sub-committees shall ordinarily be held at the office of the Director.

17. At all meetings of the committee or sub-committees, the president or the chairman, as the case may be, shall take the chair, but in case of his absence the members present shall appoint a chairman.

18. All questions that may arise at meetings of the committee or of sub-committees shall be decided by a majority of the votes of those present. In the event of the votes (including that of the president or the chairman), being equal, the president or chairman shall have a second or casting vote. Opinions of absent members may be submitted in writing but shall not count as votes.

In special cases such as when there is a disagreement between the Director and the committee, the matter shall be referred to the Local Government for decision.

19. The Secretary to the Text-Book Committee is empowered to communicate with the Secretaries of the Text-Book Committees in other provinces.

20. It shall be the duty of the Secretary to give notice of the meetings of the committee and of sub-committees, to attend the meetings of the committee and when possible the meetings of the sub-committees, when

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held at the ordinary place of meeting and to keep a record of the proceedings. When the Secretary is unable to be present at a meeting of a sub-committee, a similar record of the proceedings shall be kept by the chairman of the sub-committee, who shall forward it to the Secretary.

21. A copy of the proceedings of every committee meeting shall be forwarded to the Director within two weeks of the date of the meeting.

22. The committee shall, once in five years, forward to the Director a report on the work done during the quinquennium. This report shall be submitted to the Government by the Director with such remarks as he may see fit to offer on the operations of the committee.

23. Each book forwarded to a sub-committee shall be referred to not less than two of its members for expression of opinion.

24. No books referred to a member shall be kept for more than a month.

25. In the case of books rejected as unsuitable by the Text-Book Committee, some brief indication of the grounds on which the judgment has been formed shall be given.

26. A list of books under consideration indicating which items, if any, have been passed by the various sub-committees shall be printed and circulated among the members of the committee at least a fortnight before the date of the meeting at which they are to be approved.

27. In the case of books specially prepared for use in schools in the Presidency, the Director may call for the opinion of a sub-committee and, if such opinion be favourable, may notify the book as approved for use in schools without further reference to the full Text-Book Committee. Should the opinion of the sub-committee be unfavourable, the book shall be referred in the ordinary course to the Text-Book Committee.

28. The committee will have no concern with the text-books of schools recognized under the Code of Regulations for European Schools unless they are specially referred to it for opinion by Government or by the Director.

C—Procedure of the Text-Book Committee.

29. All books coming to the Secretary from the Director shall be sent by him to two members of the sub-committee concerned and on receipt of their opinions shall be transmitted together with their opinions to the Chairman of the sub-committee.

The Chairman may either—

(*a*) endorse such opinions, if they coincide, or

(*b*) give a casting vote if they are at variance, or

(*c*) bring the book before the Text-Book Committee, if he sees reason to differ from two opinions which coincide.

30. Before the committee meets, the chairmen of sub-committees shall convene a meeting of the members of the sub-committees (an earlier hour of the day on which the committee is to meet may be chosen) and present to them the books which have been dealt with. At these meetings all business to be brought before the committee shall be prepared.

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These meetings of the sub-committees will give the chairman the opportunity of receiving further guidance from sub-committee members in cases where difference of opinion has arisen or may arise.

31. The chairmen of sub-committees shall be responsible for presenting books (with the opinions thereon) to the committee at its biennial meetings and for giving previous intimation to the Secretary of the several opinions on the books under consideration.

32. The chairmen of sub-committees shall present through the Secretary to the Director the reasons for unfavourable opinions whenever called for.

33. It is the function of the Text-Book Committee to delete from the number of books available for school use those which are unsuitable for use in schools throughout the area controlled by the Madras Educational Department and to distinguish those which are suitable as text-books from those which deserve a place in the school library or in the teachers' library. The Text-Book Committee does not attempt to prescribe particular text-books, it provides a list of books in the different subjects from which the school authorities may exercise their discretion in selecting.

34. The general grounds upon which books may be described as unsuitable may be tabulated as follows:—

(*a*) not adapted for Indian requirements,
(*b*) too advanced for school classes,
(*c*) method of treatment faulty,
(*d*) subject-matter badly arranged,
(*e*) irrelevant to the prescribed school courses,
(*f*) composition defective,
(*g*) language unsuitable,
(*h*) publishers' work defective in respect to—
  (i) the compositor's work,
  (ii) the quality of the type,
  (iii) the quality of the illustrations,
  (iv) the quality of the paper, and
  (v) the quality of the binding.

(3)

NOTIFICATION.

Fort St. George, April 11, 1923 [*G.O. No.* 546, *Law* (*Education*)].

No. 142.—The Government have had under their consideration for some time past the question of reconstituting the Text-Book Committee. It has frequently been represented that the interests of mufassal institutions are not adequately represented on this committee. One of the subjects to be referred for advice to the District Secondary Education Boards, constituted under the scheme formulated in G.O. No. 24, dated 5th January 1923, is co-ordination in the matter of text-books and syllabuses. In order to enable the Boards to discharge their functions in this respect more effectively and, at the same time, to ensure a larger representation of mufassal interests it appears to the Government desirable

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that representatives of the District Secondary Education Boards should sit on the Text-Book Committee. They are, therefore, pleased to direct that 18 out of the 40 seats on the Committee, should be filled by members elected by the District Secondary Education Boards and that the remaining 22 members should be nominated by the Director of Public Instruction subject to the approval of the Government.

The following revised rules will be substituted for the existing rules numbers 9, 10 and 11 of the rules relating to the Text-Book Committee printed as annexure to G.O. No. 1484, Home (Education), dated the 11th December 1920.

Rule 9.—The Committee shall consist of not more than 40 members exclusive of the President of whom 18 shall be elected by District Secondary Education Boards as shown below and the remaining 22 shall be nominated by the Director subject to the approval of the Government:—

District Secondary Education Boards.	Number of members to be elected.	District Secondary Education Boards.	Number of members to be elected.
Ganjam	1	Salem	1
Vizagapatam	1	Malabar	1
Godavari	1	South Kanara ...	1
Kistna	1	Guntur and Nellore ...	1
South Arcot	1	Bellary and Anantapur	1
Tanjore	1	Kurnool and Cuddapah	1
Trichinopoly	1	North Arcot and Chittoor	1
Madura	1		
Ramnad	1	Total ...	18
Tinnevelly	1		
Coimbatore	1		

NOTE.—Where two districts are mentioned the elections will be held alternately by the District Secondary Education Boards of those districts. The first election under these rules will be held by the Guntur, Bellary, Kurnool and North Arcot Boards.

Rule 10.—The members of the Committee shall hold office for three years but shall be eligible for re-election or re-nomination as the case may be. Government may, without assigning reasons, at any time, remove any member whether elected or nominated. A member leaving the Presidency for a period exceeding six months shall be considered to have permanently vacated his seat. Vacancies not exceeding six months in duration shall, when necessary, be filled up temporarily by nomination by Director subject to the approval of the Government.

Rule 11.—The Director shall be ex officio President and the Secretary to the Commissioner for Government Examinations shall be ex officio Secretary.

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2. The power of appointing the members of the Committee delegated to the Director of Public Instruction in G.O. No. 270, Education, dated the 8th April 1908, is hereby withdrawn.

3. The Government understand that no travelling allowances have hitherto been claimed by the non-official members of the Text-Book Committee. They trust that the same public spirit will be shown by the members of Committee as now constituted.

Such non-official members of it as are not willing to forego travelling allowances will be allowed to draw them at the following rates:—

By rail—Single second-class fare.
By road—Two annas per mile.
By canal—One anna six pies per mile.

4. The Director of Public Instruction is requested to submit his recommendation in regard to the filling of the 22 seats reserved for nomination on the Text-Book Committee.

F. NOYCE,
Acting Secretary to Government.

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APPENDIX VI.

[Vide answer to question No. 448 asked by Mr. Abdul Hameed Khan at the meeting of the Legislative Council held on the 23rd January 1933, page 37 supra.]

Statement showing the names of the Chairmen of the Advisory Committees for recommending text-books in Indian Languages for the Secondary School-Leaving Certificate Public Examination during the years 1922 to 1932.

Year.	Tamil.	Telugu.	Malayalam.	Kanarese.	Urdu.	Oriya.	Sanskrit.
1922	M.R.Ry. Diwan Bahadur S. Bavanandam Pillai Avargal.	M.R.Ry. V. Venkatasubbayya Garu, B.A., L.T.	M.R.Ry. S. Rama Ayyar Avargal, M.A., L.T.	M.R.Ry. B. Rama Rao Avargal, M.A., LL.B.	Muhammad Nairmur Rahiman Sahib Bahadur, M.A.	Sriman Sivaram Ratho Mahasayo, B.A., L.T.	M.R.Ry. A. Panchapagesa Ayyar Avargal, M.A., L.T.
1923	Do.	Do.	Do.	Do.	Do.	Do.	Do.
1924	Do.	Do.	Do.	Do.	Muhammad Sahib Bahadur, M.A.	Do.	Do.
1925	Do.	Do	M.R.Ry. C. Achuta Menon Avargal, B.A.	Do.	Do.	Do.	M.R.Ry. A. Tiruvengadatta Ayyangar Avargal, B.A., L.T.
1926	Do.	Do.	M.R.Ry. A. Achutan Nayar Avargal, B.A.	M.R.Ry. M. D. Alasingaracharlyar Avargal.	Do.	Do.	Do.
1927	Do.	Do.	Do.	Do.	Do.	Do.	Do.
1928	M.R.Ry. C. P. Venkatarama Ayyar Avargal, M.A., L.T.	Do.	Do.	M.R.Ry. A. Rama Rao Avargal, B.A.	Do.	Do.	Do.
1929	M.R.Ry. S. D. Sargunar Avargal, B.A.	Do.	Do.	M.R.Ry. R. Tatachariar Avargal, M.A., L.T.	Do.	Do.	Do.
1930	Do.	M.R.Ry. T. Rajagopala Rao Garu, B.A., L.T.	Do.	Do.	Do.	Do.	M.R.Ry. Mahamahopadyaya Vidya Vachaspati S. Kuppuswami Sastri Avargal, M.A.
1931	Do.	Do.	M.R.Ry. C. Achuta Menon Avargal, B.A.	Do.	Do.	Do.	Do.
1932	Do.	Do.	M.R.Ry. M. A. Candeth Avargal, M.A., LL.B., O.B.E.	Do.	Abdul Huq Sahib Bahadur, M.A.	Do.	Do.

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APPENDIX VII.

[Vide answer to question No. 450 asked by Mr. Basheer Ahmed Sayeed, at the meeting of the Legislative Council held on the 23rd January 1933, page 38 supra.]

	Name.	Designation.	Qualification.	Community.	Class in charge.	Total service. Y.	Total service. M.	Service in this school. Y. (About)	Service in this school. M.	Whether the Hindu and Christian teachers can read, write and speak Urdu.
1	Sister R. S. Bubbalakshmi-ammal.	Superintendent.	B.A.L.T.	Hindu Brahman.	....	20	10	0	10	Yes.
2	Miss V. Koman	Headmistress.	B.A. (Hons.), L.T.	Hindu Non-Brahman.	Form VI	6	9	1	2	No. She has begun to study now.
3	Mrs. O. C. Jeevaratnamma.	School Assistant.	B.A., L.T.	Do.	Secondary Training class.	11	6	0	11	Yes; but cannot teach.
4	Mrs. A. Peter	Do.	Do.	Christian ..	Form IV	12	6	2	0	She can read and write a little.
5	Mrs. Valliammal	Do.	Do.	Hindu Non-Brahman.	„ V	3	3	3	2	No.
6	Mrs. Khatoor Unissa ..	Do.	Do.	Muslim ..	„ II	3	0	3	0	
7	Miss Kamalavalli	Do.	Do.	Hindu Non-Brahman.	„ III	1	3	1	3	No; she has begun to study.
8	Mrs. N. Swarnammal ..	Secondary grade teacher.	Special examination for women and S.S.L.C. trained.	Christian ..	Elementary Training class (Senior).	20	11	14	0	Yes.
9	Mahaboob Unissa	Do.	Secondary trained	Muslim ..	Elementary training class (Junior).	8	2	7	0	
10	Kareem Unissa	Do.	Do.	Do. ..	Class II	8	3	8	3	
11	Kubra Begum	Do.	Do.	Do. ..	„ III	8	2	8	2	
12	Sogra Begum	Do.	Do.	Do. ..	„ V (*a*)	7	8	7	8	
13	Shama Unissa	Do.	Do.	Do. ..	On leave	..		2	0	On leave.
	Miss Deva Bai	Do.	Do.	Hindu Non-Brahman.	Form I, acting in place of No. 13.	0	11	0	11	No.
14	Faiz Unissa	Do.	Do.	Muslim	Class I	2	3	0	3	
15	Begum Jan	Do.	Do.	Do. ..	„ IV	1	3	1	3	
16	Ameer Unissa	Do.	Do.	Do. ..	„ V (*b*)	2	0	2	0	
17	Mumthcea Begum	Do.	Higher Elementary trained.	Do. ..	Training classes ..	21	2	21	0	
			Other Teachers.							
1	Miss G. Mitchell	Drawing teacher.	Examination in Painting, Intermediate grade, Free-hand Outline drawing, Intermediate, Teacher's certificate in Drawing, Intermediate, European Schools Teacher's certificate in Needle work and dress-making.	Anglo-Indian.	Secondary and Elementary Training classes, Class V to Form VI.	17	0	17	0	Yes.
2	Chand Begum	Needlework mistress.	Higher Elementary trained, Group certificate in needle-work and dress-making.	Muslim ..	Elementary Training classes, Class V to Form VI.	10	0	10	0	
3	Zamruth Begum	Physical Training Instructress.	S.S.L.C. Trained, Diploma in Physical Training.	Do. ..	Training and High School classes.	4	3	4	3	
4	Masoon Begum	Urdu munshi.	Proficiency in Urdu	Do. ..	High school classes ..	10	8	10	8	
5	Tara Bi	Industrial Assistant.	Lower Elementary trained, Needle work, Lower grade.	Do. ..	Industrial class	17	0	17	0	
6	Mrs. Kanaka Raj	Clerk	S.S.L.C.	..	....	..		5	0	

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APPENDIX VIII.

[Vide answer to question No. 456 asked by Mr. A. B. Shetty at the meeting of the Legislative Council, held on the 23rd January 1933, page 44 supra.]

(1)

Memorial from Kannan, son of Kutukachery Gopalan, Kadapuram, Nileshwar P.O., South Kanara, and N. R. Krishnan, to the Honourable Minister for Education and Excise, Madras, dated Nileshwar the 23rd August 1932.

I beg to represent to you the following grievances and to request humbly that you may be pleased to redress them.

I underwent three years' training in the Government Fisheries Training Institute, Calicut, and passed the Final Examination held in June 1932. Students like me who passed in previous years have all been provided with employments as teachers in Elementary schools run by the Fisheries Department. But I have not been given any employment.

I belong to a poor Fisherman family the members of which have been looking forward to the completion of my training course as a mere means whereby at least part of their distress will be relieved. Now instead of being able to relieve them, I have become a burden on their slender resources.

I submit that the Government are under a moral obligation to provide me a place in this department as at the time when I was taken for training, I as well as the other students joined the Institute under the impression that we would be provided with employments on the satisfactory completion of our training. That the batch of students admitted in the Institute in 1931 were distinctly warned that employments were not guaranteed to them while no such warning was given to us, shows clearly that the students admitted in previous years were given at least by implication a promise of employment.

I further beg to submit that there are still about twenty ordinary trained and untrained teachers working in the Fisheries schools and these teachers can very conveniently be replaced by us who are surely fully and better qualified teachers. The ordinary trained teachers won't be able to handle all the lessons as they are not fully qualified in the technical subjects.

Therefore I humbly beg of you to consider my pitiable condition and issue orders to join duty in some Fisheries school, for which act of kindness and generosity, I shall be ever thankful to you and shall discharge my duties to the entire satisfaction of my superiors.

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[23rd January 1933

(2)

To

The Honourable the Minister for Education and Excise,
Government of Madras, Madras,

Through the Assistant Director of Fisheries,
West Coast, Calicut.

The humble memorial of M. Sankaran, Chalil, Tellicherry. Most respectfully showeth,

Memorialist has been constrained by circumstances to place the following grievances before your honour in the humblest hope that your honour will be graciously pleased to consider the same most benignly and sympathetically and to extend to him the kindness and justice he craves for.

Memorialist may kindly be permitted to submit in the first place that he has successfully undergone the prescribed course of three years in the local Government Fisheries Training Institute and that he was not fortunate enough to secure employment up to this time, although at the time he was admitted for training, he had been made to execute a bond to serve the Government for a period of five years after his course.

Memorialist was fully confident when he was taken for training in view of the bond he was asked to execute that he would be accommodated in one of the Fisheries schools immediately after he was declared to have completed his course. To his great misfortune he has now been sadly disappointed. From the execution of the bond referred to above, he had been led to believe that an appointment was guaranteed to him soon after he completed his course, and he was all the more confident of it, when the students admitted for training last year were informed that the department could not guarantee appointments to them, as no question of guarantee whatever had been raised when he and his fellow students were admitted for training in 1929.

Memorialist belongs to an indigent Arayan (Hindu Fisherman) family, the members of which had in the absence of any permanent means of livelihood, been building high hopes of his prospective employment and the consequent income therefrom to relieve themselves from distress.

Memorialist begs most deferentially to invite your honour's very kind attention to the fact that the Fisheries Department was organized by the paternal Government for the exclusive benefit of the fisher community and that it would be exceedingly hard and painful if the claims of the members of that community were to be overlooked and vacancies filled up by members of other communities, for instance, he understands that about 25 of the teachers now employed in Fisheries schools composed as they are of both ordinary trained and untrained men, without any occasion for training in the Fisheries Institute, belong to Nayar, Thiyya and Mappilla communities who could expect to be employed in ordinary institutions maintained by local bodies and

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private individuals. It should thus be unjust to shut away memorialist and the members of his community and to provide employments to others who are not in any way connected with the fisher community as a whole.

Memorialist has been placed in a very sorrowful plight, especially as he has no other means of livelihood and he underwent training in anticipation of his employment in any of the Fisheries schools, so long as the training obtained by him in the Fisheries Institute remains unrecognized for service in ordinary educational institutions.

Memorialist is now entirely at your honour's mercy. He, therefore, most humbly and honestly prays that your honour will be gracious enough to recognize his claims for employment and to direct that the ordinary trained and untrained teachers belonging to other communities and now employed in Fisheries schools might be ousted and replaced by him and other qualified members of his community.

For which act of kindness, merciful justice and charity your honour's humble memorialist shall as in duty bound.

Ever pray,
M. SANKARAN,
M. VELAYUDHAN,
K. NARAYANAN,
C. V. APPU,
P. K. BALAKRISHNAN.

TELLICHERRY,
26*th August* 1932.

APPENDIX IX.

[Vide answer to question No. 457 asked by Mr. K. S. Sivasubrahmanya Ayyar at the meeting of the Legislative Council, held on the 23rd January 1933, page 45 supra.]

(1)

Statement showing month by month the quantity and value of rice imported from the foreign countries into the Madras Presidency during the year 1931–32.

1931-32.		Quantity. TONS.	Value. RS.
April	1931	578	47,134
May	,,	4,027	3,27,037
June	,,	669	52,038
July	,,	558	42,945
August	,,	2,790	2,18,827
September	,,	672	56,775
October	,,	1,083	93,886
November	,,	2,155	2,57,846
December	,,	925	78,021
January	1932	2,421	2,20,930
February	,,	50	5,691
March	,,	1,373	1,46,739

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(2)

Statement showing month by month the quantity and value of rice exported from the Madras Presidency to foreign countries during 1931–32.

1931–32.		Quantity.	Value.
		TONS.	RS.
April	1931	3,827	5,63,579
May	„	4,912	7,40,142
June	„	7,453	9,91,416
July	„	6,102	8,18,539
August	„	6,732	9,72,907
September	„	6,076	9,70,494
October	„	5,871	9,34,691
November	„	3,095	5,09,200
December	„	3,241	5,34,792
January	1932	3,527	5,74,077
February	„	6,536	10,03,213
March	„	3,803	5,50,860

APPENDIX X.

[Vide answer to question No. 459 asked by Rao Bahadur T. A. Ramalingam Chettiyar at the meeting of the Legislative Council held on the 23rd January 1933, page 47 supra.]

(1)

Statement showing the allotment and expenditure for the years 1931–32 *and* 1932–33 (*up to* 31*st October* 1932)—*Village communications.*

Name of district.	1931–32		1932–33.	
	Allotment.	Expenditure.	Allotment.	Expenditure.
	RS.	RS.	RS.	RS.
Anantapur	4,579	570	2,245	113
Arcot, North	11,060	1,803	3,920	381
Arcot, South	4,122	829	860	304
Bellary	2,120	1,088	600	360
Chingleput	7,720	1,629	1,785	92
Chittoor	4,980	81	910	Nil.
Coimbatore	2,686	2,340	460	Nil.
Cuddapah	..	..	250	Nil.
Ganjam	..	..	..	..
Godavari, East	54,802	29,540	22,504	6,144
Godavari, West	1,18,765	39,299	39,412	16,101
Guntur	1,00,880	32,741	28,457	15,306
Kanara, South	28,778	7,890	16,320	1,730
Kistna	25,831	11,455	3,920	706
Kurnool	311	..	..	..
Madura	..	..	..	..
Malabar	..	..	..	..
Nellore	925	..	1,040	..
Nilgiris, The	..	..	..	..
Ramnad	21,360	2,173	9,190	974
Salem	19,581	7,786	4,015	2,132
Tanjore	12,924	3,398	2,350	1,450
Tinnevelly	3,595	1,621	595	591
Trichinopoly	5,409	429	1,690	688
Vizagapatam	2,081	84	1,350	..
Total ..	4,32,509	1,44,756	1,41,873	47,072

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(2)

Statement showing the allotment and expenditure for the years 1931–32 *and* 1932–33 (*up to* 31*st October* 1932)—*Water-supply.*

Name of district.	1931–32.		1932–33.	
	Allotment.	Expenditure.	Allotment.	Expenditure.
	Rs.	Rs.	Rs.	Rs.
Anantapur	101	69	935	301
Arcot, North	6,039	626	360	..
Arcot, South	3,314	1,022	390	91
Bellary	3,025	555	1,520	884
Chingleput	2,207	788	..	..
Chittoor	6,970	818	1,797	..
Coimbatore	3,410	418	165	202
Cuddapah	432	382	..	..
Ganjam	..	..	..	..
Godavari, East	7,456	5,912	765	432
Godavari, West	33,844	14,695	4,570	2,676
Guntur	27,602	7,373	2,740	1,098
Kanara, South	1,744	637	1,360	..
Kistna	19,800	10,747	2,656	2,244
Kurnool	35	..	..	..
Madura	1,595	703	123	57
Malabar	..	..	..	..
Nellore	625	..	700	..
Nilgiris, The	..	..	..	..
Ramnad	6,141	1,815	150	111
Salem	49,041	20,595	10,420	2,912
Tanjore	34,835	12,062	4,337	* 4,426
Tinnevelly	1,409	327	480	..
Trichinopoly	14,764	5,548	1,792	1,273
Vizagapatam	191	..	..	..
Total ..	2,24,580	85,092	35,269	16,707

* Includes establishment charges paid to district boards.

APPENDIX XI.

[Vide item IV—page 52 supra.]

BILL No. 26 OF 1932.

A Bill further to amend the Madras District Municipalities Act, 1920, *for certain purposes.*

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the undersigned Members of the Select Committee appointed to consider the Bill to amend the Madras District Municipalities Act, 1920 (Bill No. 26 of 1932), have the honour to submit the following report.

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2. The Bill was published in the *Fort St. George Gazette* in English on the 30th day of August 1932.

3. We met on the 9th, the 21st and the 22nd days of December 1932 for considering the provisions of the Bill and on the 10th January 1933 for discussing and passing our report.

4. The Bill as introduced in Council made provision for the appointment of executive officers with defined statutory powers, only in municipalities having an annual income of not less than five hundred thousand rupees from ordinary receipts. The test of income of five hundred thousand rupees per year from ordinary receipts, is so high that if it is adopted, very few municipalities in the Presidency would come within the operation of this measure. We consider that the advantages to be conferred upon municipalities by the appointment of executive officers with statutory powers, should, in the first instance, be extended to all municipalities having an income of not less than two hundred thousand rupees from ordinary receipts or a population of not less than fifty thousand inhabitants according to the last preceding census. From the figures of income of municipalities for 1931–32 and the census statistics of 1931, it is found that twenty-six municipalities satisfy these tests and we have specified them in Schedule IX and extended the provisions of this Bill to them. In each of these municipalities, an executive officer called a commissioner will have to be compulsorily appointed. We have thought it necessary to specify these municipalities in a schedule, as otherwise fluctuations of income from year to year may lead to uncertainty regarding the applicability of this Bill at any particular point of time to municipalities now just satisfying the income test. By an amendment of section 305 of the Madras District Municipalities Act, 1920, we have provided that the Government shall have power by notification to extend the provisions of this Bill to any other municipality by including it in Schedule IX, though they will not have power to remove therefrom any municipality already included in it. As regards municipalities which are not now and which may not in future be included in the schedule, if in any individual case the Local Government are satisfied that the conditions obtaining in such municipality necessitate the appointment of an executive officer, they will have discretion to appoint such officer for such time as they think fit.

5. The Bill as introduced provided for the abolition of the system of paid chairmen for district municipalities and we approve of this provision. We have however made an exception in the case of the Coonoor Municipality which may

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continue to have the paid chairman holding office at the commencement of this Act until the expiry of his present term of office as such chairman.

6. We have had the sections of the District Municipalities Act carefully scrutinized and have carried out in them all the necessary amendments consequential on the institution of a commissioner as a new executive authority. Among the executive powers conferred on the commissioner may be mentioned two, viz. :—

(i) Power to make appointments to all posts on the establishment of a municipality the pay or maximum pay of which is not more than eighty rupees. Power to make appointments to other posts will vest in the municipal council.

(ii) Power to make on behalf of the municipality contracts of the value of one thousand rupees and below.

We consider that these and the other powers conferred on the commissioner under the Bill as revised by us are suitable for transfer to him.

7. It is unnecessary to refer to the other amendments made by us in the Bill.

8. A copy of the Bill as amended by us is annexed.

9. The alterations made by us are not so important as to necessitate the republication of the Bill, and we direct that the Bill be not republished.

B. MUNISWAMI NAYUDU (*Chairman*).
E. C. SMITH.
M. A. MANICKAVELU.
BASHEER AHMED SAYEED.
V. P. NARAYANAN NAMBIYAR.
C. S. RATNASABAPATHI.
A. RANGANATHAM.
R. RANGA RAO (*hon. the Raja of Bobbili*).
G. LAKSHMANA REDDI.
P. SUBBARAYAN.
K. R. VENKATARAMA AYYAR.
V. I. MUNISWAMI PILLAI.
*A. V. BHANOJI RAO.
W. K. M. LANGLEY.

FORT ST. GEORGE,
10*th January* 1933.

* Subject to a minute of dissent.

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MINUTE OF DISSENT.

The Bill itself as originally conceived and published strikes at the root of the Local Self-Government which has for its object, transference of power and authority at least in matters relating to the civic needs and amenities, from official to popular control. Judged from this standpoint the Bill is decidedly retrograde in character and takes us back to the times when the Collector of the district in nominal consultation with a body of Councillors was virtually in sole charge of the administration of the civic needs of a town.

2. The Bill was not circulated to the municipal councils of the Presidency and they have had no opportunity of expressing their views on the provisions thereof. The Bill as amended by the Select Committee provides for an aggregate maximum salary including allowances of Rs. 800 per month to the Executive authority, styled as Commissioner. The maximum cost of this appointment is therefore about Rupees 10,000 per annum.

3. By the Amendment Act of 1930 a costly machinery has already been improvised for the preparation of electoral rolls and the conduct of elections in municipalities. There is not a single municipality in the whole of the Presidency, the financial equilibrium of which has not been seriously disturbed by the introduction of the Madras Motor Vehicles Taxation Act. The Commissioner's appointment on the top of all these will deplete the resources of a majority of municipal councils which could otherwise be utilized for public convenience, safety and other municipal amenities. With a sum of Rs. 10,000 or Rs. 12,000, two dispensaries could be maintained, a decent length of new road could be laid, congestion in a large area of slums could be removed or a whole town could be decently lighted. It is for this reason if not for any other, that I should consider essential that the original Bill in full with the statement of objects and reasons, and the same as amended by the Select Committee with its report thereon should be circulated for the opinions of all municipal councils. It is also essential that the Bill as amended by the Select Committee with its report thereon should be republished for such criticism as the public and the local bodies concerned may offer.

4. The original Bill provides for the appointment of Commissioners in municipalities having an income of 5 lakhs of rupees and over. If there should be any justification for the appointment of a Commissioner, it is only municipalities having such large income that can bear this financial burden. Even the Madras Corporation with an income of nearly two crores of rupees pays its Commissioner a monthly salary of

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about Rs. 1,500. I am not in agreement with the amendment of the Select Committee reducing the income limit to 2 lakhs of rupees for the appointment of a Commissioner. Income and population are generally in direct proportion; the criterion of population is unnecessary in considering the need for the appointment of Commissioner.

5. Even in municipalities where the appointment of Commissioner may be found necessary, he should be given power to make appointments to posts carrying a salary or maximum salary of Rs. 50 and not more. The Bill as amended by the Select Committee provides simultaneously for the transference from the Chairman to the Council of the power to make appointments to posts carrying a salary of over Rs. 50. Qualifications for almost all posts carrying a salary of Rs. 50 or more are prescribed by the rules made by the Government and while the Chairman can, by the operation of these rules, make appointments only in consultation with the technical experts of the Government, viz., the Surgeon-General, the Sanitary Engineer, the District Medical Officer and the District Educational Officer—there appears no justification for the transference of the power from the Chairman to the Council. If deemed necessary, a proviso reserving the right in the Local Government to so transfer the power to the Council in fit cases may be added. A provision in such general terms as embodied in the Bill as amended by the Select Committee is unnecessary and unduly encroaches on the rights all along legitimately exercised by the Chairman.

6. The present Act of 1920, as amended by Act X of 1930, vests the power of making contracts in the Council and provides for the delegation of the power to the Chairman or a Committee of Councillors, the power to make contracts the value of which does not exceed one thousand rupees. Where, in certain municipalities like Vizagapatam, power is not delegated to the Chairman himself in this matter, but delegated only to a Committee of Councillors functioning under the name and style of the Works Standing Committee, and even that only in respect of contracts the value of which does not exceed Rs. 500 in each case, the conferring on the Commissioner by statute of the power of the Council to make contracts of the value of Rs. 1,000 and below tends to autocracy which is beyond the scope of even the present Act. I am certainly not in agreement with this provision, for the reason that I feel that this provision is subversive of the rights and privileges of the body of Councillors, who alone can delegate the power to make contracts to any authority.

7. New section 12 (*c*) (5) embodied in the Bill as amended by the Select Committee provides for the removal of the Commissioner by the Local Government, if such removal is

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recommended by the votes of not less than two-thirds of the sanctioned strength of the Council. I consider it essential that a proviso should be added to the section to the effect that so far as the Council is concerned, the proposal to remove the Commissioner should be taken for consideration by the Council, only if it emanated from the Chairman. It would ensure some safety to the Commissioner, in municipalities where provision for such an appointment has to be made.

8. Section 9 (2) of the Bill as amended by the Select Committee provides that the officers and servants of the Municipal Council shall be subordinate to the Commissioner. In so far as it is not intended that the officers and servants should not be subordinate to the Chairman of the Council, the section may be suitably amended to remove any ambiguity.

9. Section 12 of the Bill as amended by the Select Committee may be amended to provide for the making of appointments to posts under Municipal Councils by the Commissioner and the Chairman as indicated in paragraph 5 supra.

In cases of urgency provision may be made at the same time for making temporary appointments by the respective authorities within the same limits.

10. A wholesale delegation of the Chairman's powers under the existing Act, by statute to the Commissioner, as provided in Schedules A and B referred to in section 16 of the Bill as amended by the Select Committee reduces the position of the Chairman to that of a mere figure-head in District Municipalities. The schedules require re-examination and in any event, a provision should be made in the amending Bill that the exercise of these powers by the Commissioner should be subject to the control and revision of the Chairman.

A. V. BHANOJI RAO.

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[As amended by the Select Committee.]

[Changes made by the Select Committee are shown in clarendon type.]

BILL No. 26 OF 1932.

A Bill further to amend the Madras District Municipalities Act, 1920, for certain purposes.

WHEREAS it is expedient further to amend the Madras District Municipalities Act, 1920, for the purpose hereinafter appearing; It is hereby enacted as follows :— Madras Act V of 1920.

1. This Act may be called the Madras District Municipalities (Amendment) Act, 1933. Short title.

2. After clause (8-B) of section 3 of the Madras District Municipalities Act, 1920 (hereinafter referred to as the said Act), the following clause shall be inserted, namely :— Amendment of section 3, Madras Act V of 1920.

(8-C) " Executive authority " means in the case of municipalities included in Schedule IX or notified under sub-section (2) of section 12 C the Commissioner and in the case of other municipalities, the chairman. Executive authority.

3. For sub-section (1) of section 6 of the said Act, the following sub-section shall be substituted, namely :— Amendment of section 6, Madras Act V of 1920.

" (1) The municipal authorities charged with carrying out the provisions of this Act are—

(*a*) a council;

(*b*) a chairman; and

(c) an executive authority."

4. Omitted.

4-A. Section 11 of the said Act shall be omitted. Repeal of Section 11 of Madras Act V of 1920.

5. Sub-section (2) of section 12 of the said Act shall be omitted. Amendment of section 12 of Madras Act V of 1920.

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Insertion of new sections 12-B and 12-C in Madras Act V of 1920.

6. After section 12-A of the said Act, the following sections shall be inserted, namely :—

Chairman, Vice-chairman or Councillor not to receive remuneration.

"12-B. No chairman, vice-chairman or councillor shall receive or be paid, from the funds at the disposal of or under the control of the Council, any salary or other remuneration for services rendered by him in any capacity whatsoever.

The Commissioner of the municipality.

"12-C. (1) The Local Government shall, in the case of each of the municipalities included in Schedule IX or notified under sub-section (2), appoint a Commissioner.

(2) The Local Government may, if they think fit, by notification take power to appoint a Commissioner for any municipality not included in Schedule IX.

(3) The Commissioner shall, save as otherwise provided in this Act, hold office for a period of three years from the date of his appointment. An outgoing Commissioner shall be eligible for reappointment if otherwise qualified.

(4) No person who has attained the age of fifty-five years shall be eligible for appointment or continued as Commissioner.

(5) The Local Government may, at any time, remove the Commissioner from office and shall do so if such removal is recommended by a resolution of the Council passed at a special meeting called for the purpose and supported by the votes of not less than two-thirds of the sanctioned strength of the Council.

(6) The Commissioner shall be a whole-time officer of the municipality and shall not undertake any work unconnected with his office without the sanction of the Municipal Council and the Local Government.

(7) (*a*) The Commissioner shall be paid out of the municipal fund such salary and allowances not exceeding eight hundred rupees per mensem in the aggregate as may from time to time be fixed by the Local Government.

(*b*) If the Commissioner is an officer in the service of the Local Government, the municipal council shall pay to the Local Government such contribution

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towards his leave allowances, pension and provident fund as may be payable under the rules and regulations of the branch of Government service to which he belongs and in force for the time being.

(c) If the Commissioner is not an officer in the service of the Local Government, his leave and leave allowances, his superannuation or retirement, his gratuity or pension and the proportions of his pensionary or provident fund contribution payable respectively from his salary and from the municipal fund shall be governed by regulations framed by the Local Government.

Provided that—

(i) the amount of any such leave and leave allowances, gratuity or pension, shall, in no case, without the special sanction of the Local Government, exceed what would be admissible in the case of Government servants of similar standing and status ; and

(ii) the conditions under which such allowances are granted or any leave, superannuation or retirement is sanctioned shall not without similar sanction be more favourable than those for the time being admissible to such Government servants.

(8) Leave may be granted to the Commissioner by the Local Government. Whenever such leave is granted, the Local Government shall appoint some person to officiate in his office.

Substitution of new sections for section 13 of Madras Act V of 1920.

7. For section 13 of the said Act and the heading "The Chairman" occurring before it, the following heading and sections shall be substituted, namely :—

"The Chairman and the executive authority.

Functions of the Chairman.

"13. The Chairman of the municipal council shall—

(a) make arrangements for the election of the vice-chairman ;

(b) convene the meetings of the Council ; and

(c) perform all the duties and exercise all the powers specifically imposed or conferred on the chairman by this Act.

Functions of the Executive authority.

"13-A. The executive authority of the municipal council shall—

(a) carry into effect the resolutions of the council ;

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(b) furnish to the council such periodical reports regarding the progress made in carrying out the resolutions of that body in the collection of taxes as the council may direct ; and

(c) perform all the duties and exercise all the powers specifically imposed or conferred on the executive authority by this Act and subject, whenever it is hereinafter expressly so provided, to the sanction of the Council, and subject to all other restrictions, limitations and conditions hereinafter imposed, exercise the executive power for the purpose of carrying out the provisions of this Act and be directly responsible for the due fulfilment of the purposes of this Act.

Rights of Chairman where a Commissioner has been appointed.

" 13 B. In the case of the municipalities included in Schedule IX or notified under sub-section (2) of section 12-C, the chairman shall have full access to all the records of the municipal council and no official correspondence between the council and the Local Government shall be conducted except through the chairman. The chairman shall be bound to transmit communications addressed through him by the Commissioner to the Local Government or by the Local Government to the Commissioner."

Repeal of section 16 of Madras Act V of 1920.

8. Section 16 of the said Act shall be omitted.

Insertion of new section 18-A in Madras Act V of 1920.

9. After section 18 of the said Act, the following section shall be inserted, namely :—

Rights and duties of the Commissioner.

" 18-A. (1) (*a*) The Commissioner shall have the right to attend the meetings of the council or any committee thereof, and take part in the discussions thereat but shall not have the right to move any resolution or to vote.

(*b*) He shall attend any meeting of the council or of any committee if required to do so by the chairman.

(2) In the case of municipalities included in Schedule IX or notified under sub-section (2) of section 12-C the officers and servants of the municipal council shall be subordinate to the Commissioner.

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(3) Subject to any directions given or restrictions imposed by the Local Government or the municipal council, the Commissioner may, by order in writing, delegate any of his functions to any officer or servant of the council or to any officer of Government. The exercise or discharge of any functions so delegated shall be subject to such restrictions, limitations and conditions as may be laid down by the Commissioner and shall also be subject to his control and revision."

Amendment of section 68, Madras Act V of 1920.

10. To sub-section (1) of section 68 of the said Act, the following proviso shall be added, namely :—

"Provided that in the case of municipalities included in Schedule IX or notified under sub-section (2) of section 12 C, the Commissioner shall exercise the power of making on behalf of the council all contracts whereof the value or amount does not exceed one thousand rupees and the council shall not exercise or delegate such power."

Amendment of section 69, Madras Act V of 1920.

11. To sub-section (1) of section 69 of the said Act, the following proviso shall be added, namely :—

"Provided that in the case of municipalities included in Schedule IX or notified under sub-section (2) of section 12 C, every such contract shall be signed by the Commissioner."

Substitution of new section for section 73 in Madras Act V of 1920.

12. For section 73 of the said Act, the following section shall be substituted, namely :—

"73. Save as provided in sections 12 C and 72, appointments to all posts under the municipal council the pay or the maximum pay of which exceeds eighty rupees per mensem shall be made by the council and appointments to all other posts under the Council shall be made by the executive authority, subject to any rules which the Local Government may make in this behalf.

Provided that in case of emergency—

(a) the executive authority may appoint temporarily such officers and servants as may in his opinion be required for the purposes of this Act and the employment of whom for any particular work has not been prohibited by any resolution of the municipal council ; and

(b) every appointment made under clause (a) shall be reported by the executive authority to the council at its next meeting."

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Amendment of section 305, Madras Act V of 1920.

13. For section 305 of the said Act, the following section shall be substituted, namely :—

Power of Local Government to alter schedules.

"305. (1) The Local Government may make rules altering, adding to or cancelling any of the following Schedules to this Act, namely :—

Schedules II, III, IV, V and VI.

(2) The Local Government may by notification include any municipality in Schedule IX but shall not remove therefrom any municipality so included.

(3) All references made in this Act to any of the aforesaid Schedules shall be construed as referring to such Schedules as for the time being amended in exercise of the powers conferred by sub-section (1) or sub-section (2), as the case may be."

Amendment of section 305-A, Madras Act V of 1920.

14. In section 305 A of the said Act, for the word and figures "section 305" the words and figures "sub-section (1) of section 305" shall be substituted.

15. After Schedule VIII to the said Act, the following Schedule shall be added, namely :—

SCHEDULE IX.

List of municipalities for which commissioners shall be appointed. [See sections 3 (8 C) and 12 C].

1 Bellary, 2 Bezwada, 3 Calicut, 4 Cocanada, 5 Coimbatore, 6 Conjeeveram, 7 Coonoor, 8 Cuddalore, 9 Ellore, 10 Guntur, 11 Kumbakonam, 12 Madura, 13 Mangalore, 14 Masulipatam, 15 Nellore, 16 Negapatam, 17 Ootacamund, 18 Palamcottah, 19 Rajahmundry, 20 Salem, 21 Tanjore, 22 Tinnevelly, 23 Trichinopoly, 24 Tuticorin, 25 Vellore and 26 Vizagapatam.

Amendment of certain provisions of Madras Act V of 1920.

16. (1) In the provisions of the said Act specified in Schedule A annexed to this Act, for the word "chairman" wherever it occurs the words "executive authority" shall be substituted.

(2) The provisions of the said Act specified in the first two columns of Schedule B annexed to this Act are hereby amended to the extent and in the manner specified in the third and fourth columns thereof.

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17. Notwithstanding anything contained in this Act—

Saving as regards the paid Chairman of the Coonoor Municipality.

(a) the paid Chairman of the Coonoor Municipal Council who is in office at the commencement of this Act shall continue to hold his office as paid chairman until his present term of office expires and a commissioner shall not be appointed to that municipality during the said term ; and

(b) the said chairman shall during the said term of office be deemed to be the executive authority of the Coonoor Municipality for all the purposes of the said Act as amended by this Act.

SCHEDULE A.

[See section 16 (1).]

Sections 15, 20 (1) and (3), 21, 22, 33 (2), 34 (2), 35, 37 (1), 50 (4), 64, 70 (2), 75, 76, 80, 82 (2) Proviso (a) (ii) 87 (1) and (3) (a), 88, 89 (1) (a) and (2) (a), 90 (3), 91, 95, 96, 97, 98 (1), 101, 102 (1) and (3), 103, 104 (1), 105 (1) and (4), 106, 107, 108 (1) and (4), 109, 131 (1) and (2), 132 (1), 134 (1) and (3), 139, 140, 141, 142 (2), 143, 144, 146, 147, 148, 150, 151, 158, 165 (2), 167 (2), 168 (1), (2) and (4), 169-Explanation, 172, 173, 174A (1) and (4) (a), 177, 178, 181, 182 (1), 183 (2) and (6), 184, 186 (1), 187, 188, 189 (2) and (3), 190 (1) and (3), 193 (4), 195, 197 (1), 198, 199, 200, 201, 202 (1), 203, 205 (1) and (3), 206, 208 (1), 209, 210, 211 (1), 212, 214, 216 and heading thereto, 217 (2), 218, 219, 220 (1), 221, 222, 223, 224, 226, 232, 233, 234, 235, 236 (1), 237, 238 (1), 242, 245 (1) and (2), 246 (1) and (2), 247, 249 (2), (3) and (4), 253 (1), 255, 256, 257, 258, 261, 269, 270, 270C, 270D, 271, 272 (1), (2) and (3), 273, 274, 282, 284 (c), 285, 288 (1), (2) and (4), 289, 290, 291 (1) and (2), 294, 297 (1), 301, 308 (b), 317, 319, 321 (1), (5), (6), (8) and (11), 322 (1), 325, 330, 331 (1) (c), 333 (1), 334, 335, 336, 337, 338, 339 (2), 340 (1), (2) and (3), 341 (3), 342, 343, 346, 347, 349, 351 and 361.

SCHEDULE III.—Rule 11.

SCHEDULE IV.—Rules 2 (1), 3, 4 (1), 5 (1), 6, 7, 8, 9, 10, 11, 13, 14 (3), 19, 23 (b), (c) and (d), 24, 26 (b), 27, 28A (1) and (2), 29 (1) and (2), 30 (1), (2) and (5), 32, 35, 36A, 55 (1), 56, 59 and 62 and appendices A and B.

SCHEDULES VII and VIII.

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SCHEDULE B.

[See section 16 (2).]

Section.	Sub-section or clause.	For the words.	Substitute the words.
(1)	(2)	(3)	(4)
18	(1)	any of his functions.	any of his functions including his functions as executive authority if he is also the executive authority.
18	(2)	his functions except those of	his functions including where he is also the executive authority his functions as such except those of
18	(3)	any of his functions ..	any of his functions including his functions as executive authority if he is also the executive authority.
18	(3) proviso (ii).	ninety days in any year in the case of an unpaid chairman and fifteen days in the case of a paid chairman.	ninety days in any year.
18	(4)	the chairman may by an order in writing	the chairman may, where he is also the executive authority, by order in writing.
19	..	chairman	chairman or executive authority.
39	(1)	or chairman	chairman or executive authority
41	(3) (b)	powers and duties of the municipal authorities.	functions of the council and of its chairman, including where the chairman is also the executive authority, his functions as such
41	(3) (b)	paid chairman ..	commissioner
71	(1)	If, in any municipality, there is no salary attached to the office of chairman	In any municipality which is neither included in Schedule IX nor notified under sub-section (2) of section 12-C.
196	..	chairman's licence ..	licence of the executive authority.
218	(3)	chairman's opinion ..	opinion of the executive authority
249	(1)	chairman's licence ..	licence of the executive authority
327	(1)	bear the signature of the chairman	bear the signature of the chairman or executive authority
327	(4)	facsimile of the signature of the chairman.	facsimile of the signature of the chairman or executive authority.
Heading to sections 335 to 337.	..	Chairman's powers of entry and inspection.	Powers of entry and inspection of the executive authority.
350	(4)	the chairman	the chairman, the executive authority or
352	..	or any municipal chairman	or any municipal chairman, executive authority

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Section.	Sub-section or clause.	For the words.	Substitute the words.
(1)	(2)	(3)	(4)
352	..	direction of any municipal chairman	direction of any municipal chairman or executive authority.
353	(1)	chairman and every councillor	chairman, every councillor, and the executive authority
353 A	..	chairman or any councillor	chairman, any councillor or the executive authority
355	(1) (b)	assist the chairman ..	assist the chairman, the executive authority.
355	(1) (b)	vesting in the chairman	vesting in the chairman or the executive authority.
359	..	chairman, any councillor	chairman, any councillor, the executive authority
..	..	any person with whom the chairman has entered into a contract on behalf of the council	any person with whom a contract has been entered into on behalf of the council
368	(1)	and its chairman ..	and its chairman and executive authority
368	(3)	and of the chairman until a chairman has been elected by the council	of the chairman until a chairman has been elected by the council, and of the executive authority until a chairman has been elected or a commissioner has been appointed, as the case may be.

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APPENDIX XII.

[Vide item IX—Papers laid on the table of the House—page 104 supra.]

LIST OF POSTS ON Rs. 500 PER MENSEM AND ABOVE CREATED DURING THE QUARTER ENDING SEPTEMBER 1932.

PERMANENT—Nil.

TEMPORARY.

(i) *Extension of previous sanctions.*

Department and designation of the post.	Pay per mensem. Rs.	Period of tenure.	Remarks.
Finance Department— Additional Secretary to Government, Finance Department, for revision of the scales of pay and of the statutory rules relating to conditions of service.	Pay in the regular line in the I.C.S., plus special pay of Rs. 250.	From 18th October 1932 to 31st December 1932.	The post was originally sanctioned for six months from 18th April 1932 and extended up to 31st December 1932.
Law (General) Department— Additional District Munsif, Salem.	Grade pay in the I.C.S.	From 4th July 1932 to the date of the completion of the judicial training.	The post was created to provide for the judicial training of Mr. P. N. Ramaswami Ayyar, I.C.S.

(ii) *Posts newly created.*

Finance Department— Assistant Secretary to Government, Finance Department.	500—50—800	From 2nd August 1932 to 31st December 1932.	To assist the Additional Secretary to Government for the revision of salaries.
Law (General) Department— Additional Sub-Judge, Bezwada.	650	One year from the date on which the Sub-Judge takes charge.	To reduce the arrears in the Sub-Court, Bezwada.
Public Works and Labour Department— Special Officer for the investigation of the feasibility of reduction of stock work and establishment in the Public Works Stores.	5,000	About three months from 16th July 1932.	The officer will be paid in the following instalments:— Rs. 1,500 after the first month. Rs. 1,500 after end of second month. Rs. 2,000 after submission of the final report.

S. A. VENKATARAMAN,
Deputy Secretary to Government,
Finance Department.

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APPENDIX XIII.

[Vide item IX—Papers laid on the table of the House—page 104 supra.]

PUBLIC (GENERAL) DEPARTMENT.

U.O. NOTE No. 24975-4, DATED 11TH NOVEMBER 1932.

COMMUNICATION TO THE COUNCIL.

With reference to the answers given to question Nos. 152 and 153 at the meeting of the Legislative Council held on the 5th August 1932 the following further information is laid on the table of the House:—

Legislative Council question No. 152 *by Mr. C. Indriah.*

The District Magistrate of West Godavari has reported that Tallapragada Narayanamurti received some injuries on the head and that they were all declared by the Medical Officer, Tanuku, to be of a simple nature.

Legislative Council question No. 153 *by Mr. C. Indriah.*

It is reported that the leader of the volunteers was Tallapragada Prakasarayudu and not Kasturi Prakasarayudu as stated in the answer given to the question on the 5th August 1932. He received fifteen contusions. Of these six were on the hands and two on the head. The injuries were all of a simple nature. Neither of his hands was seriously injured.

G. T. H. BRACKEN,
Chief Secretary.

APPENDIX XIV.

[Vide item IX—Papers laid on the table of the House—page 105 supra.]

G.O. No. 2399, Revenue, dated 30th November 1932.

On 15th March 1932, M.R.Ry. Swami A. S. Sahajananda Avargal, M.L.C., while speaking on a reduction motion under Demand X of the demands for grants for 1932–33, made several allegations against M.R.Ry. C. Duraiswami Ayyangar Avargal, Revenue Divisional Officer, Chidambaram, South Arcot district. On 7th April 1932, he sent an English summary of his Tamil speech to the Hon'ble the Revenue Member and asked him to take suitable action in the matter. On 6th August 1932, he sent a further communication on the subject.

2. The Government have examined in the light of a report received from the Board of Revenue the charges made by Swami Sahajananda. The result of the examination is as follows:—

(1) *Killai Procession affair.*—The allegation is that Mr. Duraiswami Ayyangar showed caste prejudice in issuing, in circumstances which did

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not warrant any such action, an order in February 1932 under section 144, Criminal Procedure Code, on the Adi-Dravidas of a village in Chidambaram taluk prohibiting them from taking a procession along a public road. The Government find that Mr. Duraiswami Ayyangar's action was entirely in accord with the instructions he received from the District Magistrate, and that the District Magistrate fully approved the action taken by him. There is no reason whatever to suppose that Mr. Duraiswami Ayyangar showed any bias against the Adi-Dravidas.

(2) *An unburied Adi-Dravida corpse.*—The allegation is that Mr. Duraiswami Ayyangar delayed the issue of an order for the burial of an Adi-Dravida corpse in Perambattu village for two or three days. The facts are that a petition was presented to Mr. Duraiswami Ayyangar on 10th November 1931, and he sent it the same day to the Sub-Inspector for immediate enquiry. The Sub-Inspector reported on the 11th that he had made arrangements for the burial.

(3) *A visit to the Nandanar School.*—The allegation is that Mr. Duraiswami Ayyangar is so much caste-ridden that he did not, for fear of pollution, enter the premises of the Nandanar School, Chidambaram, which he had to inspect in some connexion in October 1930. The allegation that Mr. Duraiswami Ayyangar showed caste prejudice in not entering the school is obviously a surmise incapable of proof. It is however certain that there could have been no such incident on 25th October 1930 as alleged in M.R.Ry. Swami Sahajananda's letter, dated 6th August 1932, because Mr. Duraiswami Ayyangar was not then in the division.

(4) *C.C. No.* 13 *of* 1931.—The allegation is that the Sessions Judge modified the order passed by Mr. Duraiswami Ayyangar in C.C. No. 13 of 1931, and commented adversely on his judgment in the case. The sentence imposed by Mr. Duraiswami Ayyangar was in the main upheld by the Sessions Judge, and the High Court refused to interfere. There is no foundation whatever for any insinuation against Mr. Duraiswami Ayyangar.

(5) *Criminal Tribes Act case.*—It is alleged that as a result of incorrect comments made by Mr. Duraiswami Ayyangar on the calendar relating to a case disposed of by the Stationary Sub-Magistrate, Vriddhachalam, under the Criminal Tribes Act, the District Magistrate discharged a prisoner from jail and sent up the judgment to the High Court for revision but that the High Court found the judgment of the Sub-Magistrate to be in order. The suggestion that Mr. Duraiswami Ayyangar's comments and report were wrong is completely incorrect. The case was not sent to the High Court at all. The District Magistrate and the Government completely accepted the recommendation of Mr. Duraiswami Ayyangar.

(6) *Interference in a criminal case.*—The allegation is that Mr. Duraiswami Ayyangar influenced the Stationary Sub-Magistrate, Vriddhachalam, on behalf of a person who was being tried in the Sub-Magistrate's Court. The allegation is denied by the officer who tried the case.

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(7) *Ill-treatment of village officers.*—It is said that Mr. Duraiswami Ayyangar ill-treats village officers and uses filthy language in speaking to ryots. No evidence has been quoted in support of this charge.

(8) *Transfer of a Taluk Head Accountant and* (9) *Ousting of a clerk.*—The allegations are that the Deputy Collector got the Taluk Head Accountant, Chidambaram, transferred as he did not depute a taluk office peon to work permanently under him and that he compelled a clerk to go on leave in order to provide for an acting clerk who would otherwise have been ousted. These are matters of departmental discipline and official posting in which there is no evidence of any impropriety.

(10) *Chidambaram Panchayat Court.*—The charge against the Deputy Collector is that he allowed the village munsif of Chidambaram to continue his court after the constitution of the panchayat court and that he interfered in its administration. The District Magistrate has no fault whatever to find with Mr. Duraiswami Ayyangar's action in connexion with the constitution or administration of the panchayat court.

(11) *Recommendation of one Ramanujachari for a karnam's appointment.*—It is alleged that Mr. Duraiswami Ayyangar asked the Tahsildar of Chidambaram to recommend one Ramanujachari (a fellow caste-man) for a karnam's appointment but that the Tahsildar did not do so. The truth is exactly contrary to the allegation made. The Tahsildar recommended Ramanujachari, but Mr. Duraiswami Ayyangar appointed someone else.

(12) *Mr. Duraiswami Ayyangar's health.*—The allegation is that Mr. Duraiswami Ayyangar is suffering from a chronic disease of the lungs and it is suggested that he should be examined by a Medical Board. There is no reason to suppose that his health is bad.

3. Thus in items (2), (5) and (11) specified in the preceding paragraph, the allegations are demonstrably baseless, while in the remaining cases there is no reason whatever to suppose that Mr. Duraiswami Ayyangar has behaved improperly. The Government consider that in fairness to the officer the result of their investigation into the charges made by M R.Ry. Swami Sahajananda Avargal, M.L.C., should be brought to the notice of the Legislative Council, where the allegations were first made. These proceedings will be laid on the table of the Legislative Council.

(By order of the Governor in Council)

J. A. THORNE,
Secretary to Government.

To the Secretary, Legislative Council.
" Board of Revenue, Land Revenue and Settlement (with reference to correspondence ending with its reference D. No. 2443/32-2 (Confdl.), dated 5th October 1932).
" Law (General) Department.
" Public (General) Department.

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